

NEIGHBOURHOOD SERVICES COMMITTEE

AGENDA



Monday 2nd September

at 10.00 am

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors Clayton, Cook, Little, Male, Oliver, C Wallace and Young.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the Minutes and Decision Record of the meeting held on 17 June 2024 (previously circulated)
- 3.2 To receive the Minutes and Decision Record of the meeting of the Emergency Planning Joint Committee held on 23 July 2024

4. BUDGET AND POLICY FRAMEWORK ITEMS

None.

5. KEY DECISIONS

- 5.1 Local Transport Plan Scheme Update – *Assistant Director (Neighbourhood Services)*
- 5.2 Waste Management Update – *Assistant Director (Neighbourhood Services)*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

6. OTHER ITEMS REQUIRING DECISION

- 6.1 Health and Safety Service Plan 2024-25 – *Assistant Director (Regulatory Services)*
- 6.2 Food Law Enforcement Service Plan 2024-25 – *Assistant Director (Regulatory Services)*

7. ITEMS FOR INFORMATION

No items

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Date of next meeting – Monday 4 November 2023 at 10.00am in the Civic Centre, Hartlepool



EMERGENCY PLANNING JOINT COMMITTEE

MINUTES AND DECISION RECORD

23 JULY 2024

The meeting commenced at 10.00am at the Stockton Baptist Church, Bishop Street, Stockton-on-Tees

Present:

Councillor: Councillor Karen Oliver (Hartlepool Borough Council) (In the Chair)

Councillors:

Councillor Clare Besford (Stockton Borough Council)

In accordance with Council Procedure Rule 4.2 Councillor Peter Gavigan was in attendance as substitute for Councillor Adam Brook

Officers: Stuart Marshall, Chief Emergency Planning Officer
Rachael Campbell, Principal Emergency Planning Officer
Tony Hanson, Executive Director of Development, Neighbourhoods and Regulatory Services
Sylvia Pinkney, Assistant Director, Regulatory Services
Chris Parkin, Head of Finance - Development, Neighbourhoods & Regulatory Services
Denise Wimpenny, Principal Democratic Services Officer

1. Apologies for Absence

Councillor Theo Furness (Middlesbrough Borough Council)

2. Declarations of interest by Members

Councillor Oliver declared a personal interest (family member works in Emergency Planning Unit)

3. Minutes of the meeting held on 12 March 2024

Received.

4. Financial Management Update Report *(Director of Finance, IT and Digital and Chief Emergency Planning Officer)*

Purpose of report

To provide details of the outturn for the financial year ending 31st March, 2024.

To propose the budget for 2024/25 and contributions to be requested from Councils.

Issue(s) for consideration by the Committee

The Head of Finance - Development, Neighbourhoods & Regulatory Services reported that the final outturn positions for the main Emergency Planning and LRF Budgets showed small favourable variances as at 31 March 2024 which were transferred to reserves.

In relation to the 2024/25 budget, the Head of Finance – Development, Neighbourhoods & Regulatory Services reported that the Emergency Planning Unit was self-financing and mainly determined by the Local Authority partners and income from fees and recharges. For the 2024/25 financial year the recommended Local Authority contributions were £347,000 which was a 5% increase compared to the previous year. Staffing budgets had been increased to reflect the higher than estimated current year pay award and an assumption had also been made for the 2024/25 pay award.

The proposed LRF budget was outlined in the report but it was highlighted that any future HM Government grant funding beyond 2024/25 was uncertain. Contributions from partners had been increased by 5%.

In response to clarification sought, the Committee was advised on the reserve arrangements.

Decision

1. That the 2023/24 outturn position be noted.
2. That the 2024/25 budgets for Emergency Planning including the 5% increase in the contribution from each Council be approved.
3. That the 2024/25 Local Resilience Forum (LRF) budget be approved.

4. **Emergency Planning Joint Committee Introduction Paper** *(Chief Emergency Planning Officer)*

Purpose of report

To provide the new members of the Emergency Planning Joint Committee (EPJC) with an overview of the working arrangements and wider context of the Cleveland Emergency Planning Unit to enable effective oversight of the CEPU and CLRF activities and to enable members to contribute to future direction and policy. For reference a copy of the EPJC constitution was appended to the report.

To highlight useful resources and offer training to the EPJC membership to assist in their role.

To outline a proposed reporting schedule for 2024-25 to the membership for consideration.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer submitted a report setting out for the new Members of the Committee the role of the Committee and the Emergency Planning Unit (EPU). The report identified the legislation under which the service operated and how each local authority coordinated with the EPU.

The report also highlighted the role of the Local Resilience Forum and how that operated in partnership with the EPU. Details of the proposed report schedule for the forthcoming year were included in the report and Members views were sought in terms of any particular areas they particularly wished to cover in the coming 12 months.

The Chair placed emphasis upon the importance of whole of society resilience and commented on the benefits of involving the local communications team in this regard. The need to ensure future meetings were quorate going forward was also highlighted.

Decision

1. The Committee noted the Emergency Planning Joint Committee terms of reference and Local Government Association guidance for councillors.
2. The Committee requested that the Chief Emergency Planning Officer arrange introductory training from the Cabinet Office Emergency Planning College.

3. The Committee supported the reporting schedule, as outlined, and requested further information on any significant incidents and finance related issues.

5. Local Authority Emergency Management *(Chief Emergency Planning Officer)*

Purpose of report

To provide Members with a summary of the emergency management arrangements in place across the four Local Authorities.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer indicated that the report provided Members with an outline of the Emergency Planning work across the Cleveland area.

In the discussion that followed Members commented on the importance of accurate information being available to the public in terms of what to do in an emergency situation. The various methods of communicating such information with the public was debated. The Chair commented that there was a role for Ward Members and local politicians in terms of disseminating information to constituents. The Assistant Director referred to the various links and networks currently in place which could be utilised.

The Executive Director updated Members on his role of Chair on the Local Resilience Forum in Cleveland and provided details of current and future priorities.

Decision

That the report be noted.

6. Community Risk Register *(Chief Emergency Planning Officer)*

Purpose of report

To provide an update and seek views on the proposed Local Resilience Forum (LRF) Community Risk Register as per the report of 26 September 2023.

Issue(s) for consideration by the Committee

The Principal Emergency Planning Officer outlined the background and purpose of the Community Risk Register (CRR). The Cleveland CRR had now been drafted and provided to members. The Committee's feedback and views were sought in terms of content and thoughts on promotion.

Members discussed some of the issues around local risks affecting communities with flooding being raised as an areas of concern. A Member raised concern in terms of the difficulties experienced obtaining information in relation to a gas release incident, details of which were provided. The challenges around whole society resilience were discussed including the need to ensure accurate information was communicated to the public to alleviate any fears in terms of potential threats to public health and where whilst there may be no public threat there may be anxiety amongst the communities and a need for trusted sources of information. The Chief Emergency Planning Officer agreed to include this issue on the agenda at a future meeting of the LRF's Warn and Inform Group.

Decision

That the contents of the report and comments of Members be noted and actioned as appropriate.

7. Activities Report 01/03/2024 – 09/07/2024 (*Chief Emergency Planning Officer*)

Purpose of report

To assist members of the Emergency Planning Joint Committee in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported on progress made to date on the EPU's 2024/25 Action Plan and the 2024/25 LRF Action Plan. The report contained a number of examples of work completed, additional pieces of work by the CEPU relating to local authorities in the period not included in the annual plan as well as significant pieces of work undertaken as part of the Local Resilience Forum annual action plan.

Decision

That the update on the Emergency Planning Unit Action Plan be noted.

8. Incidents Report 01/03/2024 – 09/07/2024 (*Chief Emergency Planning Officer*)

Purpose of report

To assist members of the Emergency Planning Joint Committee in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities through provision of a list of incidents within the reporting period.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported on the incidents that had been responded to by the Emergency Planning Unit during the reporting period. A number of these incidents had been followed up with multi-agency debriefs, the learning from which was shared with agencies and where appropriate actioned via the Local Resilience Forum / agencies internal procedures.

Members noted the incidents and discussed flooding issues, high fire risk waste sites and prevention measures. The Chief Emergency Planning Officer responded to issues raised arising from the report. Clarification was provided in relation to prevention measures and flood alleviation arrangements.

Decision

That the contents of the report and comments of Members be noted.

9. Date and Time of Next Meeting

It was reported that the next meeting would be held on Tuesday 24 September 2024 at 10.00 am. It was suggested that the option to hold future meetings at the municipal buildings in Stockton be explored.

The meeting concluded at 11.10 am.

H MARTIN

DIRECTOR OF LEGAL, GOVERNANCE AND HUMAN RESOURCES

PUBLICATION DATE: 30 JULY 2024

NEIGHBOURHOOD SERVICES COMMITTEE

2 September 2024



Subject: LOCAL TRANSPORT PLAN SCHEME UPDATE

Report of: Assistant Director (Neighbourhood Services)

Decision Type: Key (Forward Plan Ref No. DNRS 06/24)

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- where people are enabled to live healthy, independent and prosperous lives.
- where those who are vulnerable will be safe and protected from harm.

2. PURPOSE OF REPORT

- 2.1 To seek approval from Members of Neighbourhood Services Committee for a delivery programme of safety schemes across the Borough for financial year 2024/2025. This report was listed on the Forward Plan for July 2024, however as there was no scheduled Neighbourhoods Committee meeting in July, it has been brought to the next available meeting.

3. BACKGROUND

- 3.1 Neighbourhood Services Committee approved the Local Transport Plan (LTP) for 2024/25 at committee on 5 February 2024.
- 3.2 That report identified the allocated budget for Local Safety and Safer Routes to School schemes for 2024/25, and this report details the prioritisation of schemes based on updated road casualty data.
- 3.3 Safety schemes are requested from residents and Elected Members across the Borough, and are also identified through a review of accident statistics and officer concerns.
- 3.4 The level of demand for safety schemes continues to oversubscribe the Local Transport Plan budget, and as such a scrutiny assessment is undertaken to

develop the preferred list of schemes within the available budget. Analysis of each request is undertaken based on factors such as accident data, speed survey results, the presence of a school/ playground, higher pedestrian usage, and community concerns raised.

- 3.5 Accident figures are scored on a points system whereby 3 points are allocated for an accident classified as fatal, 2 for serious and 1 for slight, to assist with the prioritisation process.
- 3.6 Accident levels within Hartlepool are currently at low levels, therefore it is becoming more difficult to identify schemes based on just accident data alone. Cluster sites are becoming rarer, as are accidents where engineering measures can be implemented to mitigate against them. Information continues to be reviewed and problem sites are addressed appropriately.

4. PROPOSALS / OPTIONS FOR CONSIDERATION

- 4.1 A programme of potential safety schemes has been developed as detailed below. This builds on the prioritisation approach approved at Committee in October 2019.
- 4.2 As well as a review of the accident data, a high number of schemes have also been requested from both Elected Members and residents. These requests considerably exceed the budget available and as a result it is only possible to enable some schemes to be taken forward this financial year.
- 4.3 All potential schemes have been included on the list at **Appendix 1**, and prioritised using the criteria outlined in Section 3 of the report. While the schemes recommended for 2024/25 have been allotted a budget, it is acknowledged that through detailed design changes may be required. Therefore it is possible that further scheme(s) may be brought forward on the list should the main programme come in under budget.
- 4.4 Similar to the Highway Resurfacing programme, this list is live and new requests can be considered throughout the year.
- 4.5 Detailed designs on the proposed schemes are still required and these will be progressed should Committee approve the proposed 2024/25 schemes.

Proposed Safety Scheme Programme 2024/25

- 4.6 **Oxford Road (Kingsley Avenue – Stockton Road)** (*Budget estimate £45k*) – There have been 1 serious and 4 slight accidents recorded on this section of road since 2019, with pedestrians and also cyclists entering the carriageway and then being struck a factor.
- 4.7 Additional guard rails will be installed at key points to reduce the likelihood of pedestrian / cyclist collisions when leaving the footpath, along with bollards to prevent unauthorised footpath parking.

- 4.8 An improved crossing point will be installed at the junction with Caledonian Road, and the possibility of a pedestrian island investigated subject to there being sufficient width to accommodate the required vehicle turning manoeuvres.
- 4.9 An additional crossing point will be provided close to the junction with Leamington Parade to assist people travelling to St. Cuthbert's Primary School, and a further dropped kerb at Stratford Road, directly outside of the school.
- 4.10 **Elwick Road (Wooler Road – Dunston Road)** (*Budget estimate £80k*) – There has been 1 serious and 3 slight accidents recorded on this section of road since 2019. The serious accident involved a child being knocked over, while others were related to failing to stop at the existing zebra crossing by the cricket club, and excessive speed.
- 4.11 A zebra crossing will be located near to the junction with Park Avenue, outside of Ward Jackson Park gates, to provide a safe crossing point for people going to and from the park.
- 4.12 A raised junction will be installed at the junction with Egerton Road to ensure slower speeds, as this has historically been a site of speed related / loss of control collisions.
- 4.13 High visibility belisha beacon lights will be installed at the existing zebra crossing to highlight its presence, and reduce the risk of 'fail to stop' accidents. These will also be provided at the new zebra crossing.

5. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	No relevant issues.
FINANCIAL CONSIDERATIONS	The schemes proposed will utilise the allocation previously approved in the Council's Local Transport Plan. Should savings be realised during delivery then a further scheme(s) may be brought forward from the list in Appendix 1 .
LEGAL CONSIDERATIONS	A Traffic Regulation Order will be required for certain elements of work on the highway and these will be advertised in due course.
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues.
STAFF CONSIDERATIONS	All schemes will be designed through the Councils internal Engineering services.
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	The schemes proposed will assist in making the Borough's highway network safer for vehicles, pedestrians and cyclists.
CONSULTATION	Consultation will be undertaken on all schemes where residents / businesses are directly affected and ward Members will be notified of this process in due course. Should objections be received in line with the constitution then these will be reported back to Committee for further consideration.

6. RECOMMENDATIONS

- 6.1 That Members note the continuation of the oversubscribed LTP budget and the requirement for prioritisation.
- 6.2 To note that the list proposed is live and further scheme(s) may be deliverable should savings within the 2024/25 programme be identified.
- 6.3 That the proposed safety scheme programme be approved for 2024/25.
- 6.4 It is recommended that Committee approves any changes to the proposed programme be delegated to the Executive Director of Development, Neighbourhoods and Regulatory Services, in consultation with the Chair of Neighbourhood Services Committee.

7. REASONS FOR RECOMMENDATIONS

- 7.1 To reduce casualties and improve road safety in Hartlepool.
- 7.2 To allow for the prioritisation of schemes when demand exceeds the budget.

8. BACKGROUND PAPERS

- 8.1 None.

9. CONTACT OFFICERS

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AUTHOR OF REPORT

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Sign Off:-

Managing Director	Date: 13/08/2024
Director of Finance, IT and Digital	Date: 09/08/2024
Director of Legal, Governance and HR	Date: 06/08/2024

LOCATION	SCHEME	ACCIDENTS	POINTS
Oxford Road (East)		1 serious, 4 slight	6
Elwick Road (Wooler Rd - Dunston Rd)	Crossing near to Park Avenue, raised platform at Egerton Rd	1 serious, 3 slight	5
Tarnston Rd	TBC	2 serious	4
Rossmere Way	Island/ crossing/ build outs	1 serious, 2 slight	4
	Signals/ ped phase at De Havilland Way and guard rail alongside		
Tees Road	Cricket Club	1 serious, 1 slight	3
Challoner Road	Speed cushions	1 serious, 1 slight	3
Owton Manor Lane (o/s Manor College)	Crossing	3 slight	3
Wooler Road	TBC	3 slight	3
Easington Rd Coast Road (North of King Oswy Drive)	Pedestrian Island	1 serious	2
Merlin Way (A179 – Osprey)	TBC	1 serious	2
Westbrooke Ave	Traffic calming	1 serious	2
Elwick Rd (Dunston Rd - National Speed Limit)	Pedestrian Island	2 slight	2
King Oswy Drive (Top section)	Build outs	1 slight	1
Blakelock Rd/ Gdns	TBC	1 slight	1
Stockton Road (BV Way to Westbrooke Ave)	TBC	1 slight	1

Oxford Road (West)	TBC	1 slight	1
Eskdale Road	TBC	1 slight	1
St. Paul's Road/ Osborne Road	TBC	1 slight	1
Clifton Avenue	Road humps	1 slight	1
Maritime Ave	Traffic calming (Residential area)	1 slight	1
Macaulay Road	Road humps	1 slight	1
Fernwood Avenue	Road humps	1 slight	1
Truro Drive	TBC		0
Warren Road (East)	Road humps		0
Chester Rd/ Thornhill Gdns	Road humps		0
Warrior Drive (Northern section)	TBC		0
Clavering Road	Raised platform at bend		0
Cairnston Rd	TBC		0
The Parade	Traffic calming/ crossing		0
Dalton Piercy	Traffic calming		0
Stockton Rd/ Stratford/Spring Garden Rd	Humps/ raised junction		0

Warren Road (West)	Traffic calming	0
Westwood & Woodstock	2 x zebra crossings	0
Wiltshire Way	TBC	0
Wynyard Woods	Road humps (Zebra crossing at existing hump)	0
Masefield Road (West section)	TBC	0
Ventnor Avenue	Speed Humps	0
Sheriff Street	Additional pinch point and/ or hump	0
Sinclair Road	Road humps	0
Southbrooke Avenue	Road humps	0
Greatham Village (High St, Front St, etc)	TBC	0
Elliott Street	TBC	0
Dalkeith Road	Road humps	0
Westbourne Rd	TBC	0
Hutton Avenue	TBC	0
Kesteven Road	TBC	0
Wilson Street	TBC	0
Tanfield Road	Road humps	0
Dowson Rd	Road humps	0
Jones Road	Road humps	0
Tristram Avenue	Road humps	0
Marsh House Lane, Greatham	TBC	0
Miers Ave (W)	Traffic calming	0

Avondale Gardens	Road humps	0
Allendale St/Berwick St/ Carlisle St/ Farndale Rd	Road humps	0
Osprey Way	TBC	0
Shakespeare Ave	TBC	0
Windsor Street	Traffic calming	0
Skelton Street	Road humps	0
Spalding Rd	Road humps	0
Swinburne Rd	Traffic calming	0
Everett St	TBC	0
Sandbanks Drive	Road humps	0
Garside Drive	Road humps	0
Honiton Way	Road humps	0
The Oval	TBC	0
Campbell Road	TBC	0
Dryden Rd	Traffic calming	0
Primrose Road	Road humps	0
Dunbar Rd	Road humps	0
Seaton Lane Service Road	Road humps	0
Ridlington Way	TBC	0
Butts Lane (Burns Close area)	TBC	0
Philips Rd/ Daley Close	Road humps	0
Thirsk Grove	Road humps	0
Grange Avenue	Traffic calming	0
Westfields	TBC	0

Brough Court	Road humps	0
Hayfield Close	Road humps at entrance of street	0
Clifford Close	20mph limit and road humps	0
Road to North Hart Farm	TBC	0

**5 Year Figures (July '19 – June '24)*

NEIGHBOURHOOD SERVICES COMMITTEE

2 SEPTEMBER 2024



Subject: WASTE MANAGEMENT UPDATE
Report of: Assistant Director (Neighbourhood Services)
Decision Type: Key Decision (Forward Plan Ref DNRS 07/24)

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- that is connected, sustainable, clean and green.

2. PURPOSE OF REPORT

- 2.1 To provide Members with an update on the Department for Environment, Food and Rural Affairs (DEFRA) '*Simpler Recycling*' scheme, and its implications.
- 2.2 To seek approval to commence household food waste collections in October 2025 on a trial basis.
- 2.3 To seek approval to review the feasibility of relocating the Council's existing Waste Transfer Station and Household Waste Recycling Centre.

3. BACKGROUND

- 3.1 Following a consultation exercise in 2021, DEFRA announced its review of waste services under the banner of '*Simpler Recycling*'. The original intention was to standardise recycling collections in England to help achieve the government's target for the recycling of 65% of all municipal waste by 2035. In order to support this ambition several changes to recycling collections are proposed which include:

- The introduction of mixed recycling collections and food waste collections to non-household municipal premises by 31st March 2025;
- The introduction of food waste collections to all domestic properties by 31st March 2026; and

- The introduction of plastic film recycling collections to all domestic and business properties by 31st March 2027. At this stage it is envisaged that this could be comingled with the other mixed recyclables, however this is dependent on the ability of the sorting facility.

3.2 Other proposals that were consulted upon but not taken forward included enforcing Councils to undertake source segregated recycling (i.e. via additional bins) and preventing Councils from charging for garden waste collections.

4. PROPOSALS

Food Waste Collections

- 4.1 Every household in Hartlepool must be receiving a weekly food waste collection by 31st March 2026.
- 4.2 The Council was awarded £806k from the Government's '*New Burdens*' funding for the setup of a weekly food waste collection scheme, as this will be mandatory under the Simpler Recycling programme. At this stage the funding offered will not cover the full cost of setup, therefore an appeal to Government has been submitted, although we have accepted the funding while negotiations are ongoing. Funding will also be provided for transitional costs and ongoing revenue costs, though there are currently no details on what this will cover, nor when it will be awarded.
- 4.3 Households will be offered two caddies for their food waste, one for the kitchen and one for outside. The kitchen caddy is intended to be emptied daily, by the householder, into the external caddy, which will be emptied by a dedicated food waste collection team each week. It is estimated that up to 3,000 tonnes of food waste may be removed from the residual waste stream, however for modelling purposes, particularly in the early years of the scheme, 2,000 tonnes is thought to be more realistic.
- 4.4 Treatment of food waste at an anaerobic digestion plant is considerably cheaper than sending the same waste for incineration, which is the current means of disposal. Anaerobic digestion produces bio gas, which can be used in place of natural gas, and a slurry that can be used as a fertiliser. An external partner would provide this waste treatment service and this will be procured in due course.
- 4.5 The estimated annual cost of running the food waste collection service are provided in **Table 1 at Appendix 1**. It should be noted that costs are estimated and based on current year's staff salaries, while procurement exercises are ongoing, and responses from the market will dictate actual costs. **This item contains exempt information under Schedule 12A of the Local Government Act 1972 (as amended by the Local Government), (Access to Information), (Variations Order 2006) namely, information**

relating to the financial or business affairs of any particular person (including the authority holding that information)

- 4.6 It is anticipated that funding will be made available for communications and the delivery of caddies and leaflets. However, there is currently a shortfall of £206,500 between the capital set-up grant provided by Government and the actual costs anticipated. As mentioned earlier, an appeal is ongoing.
- 4.7 **Table 2 at Appendix 1** outlines the anticipated ongoing annual costs that will be incurred for delivery of the food waste service to all properties in the Borough. Ongoing revenue funding will be provided by Government, though no further details have yet been provided. **This item contains exempt information under Schedule 12A of the Local Government Act 1972 (as amended by the Local Government), (Access to Information), (Variations Order 2006) namely, information relating to the financial or business affairs of any particular person (including the authority holding that information)**
- 4.8 The Council must provide a food waste collection to all domestic properties by 31st March 2026. It is not possible to introduce a service to approximately all 45,000 properties at the same time. However, it is anticipated, though not confirmed, that government revenue funding will only cover ongoing revenue costs for service delivery from 31st March 2026.
- 4.9 It will be necessary for the Council to introduce the scheme early, and to phase it in over 6 months from October 2025. There will be an additional cost to this, however this will be partly offset by the reduced risk of the service being unsuccessful, and by savings based on the lower gate fee for treatment of the food waste. Due to the reduced gate fee, it is in the Councils interest to divert as much waste as possible from the residual waste stream into the food waste stream.
- 4.10 As caddies will be required regardless of the service start date, and the New Burdens funding covers the majority of associated costs, the additional costs incurred by starting the scheme early will be from staffing, vehicle service level agreements and fuel costs. It is anticipated that the total cost of providing a service early, once the reduced waste treatment costs are applied, will be a one-off cost of £63k. **Table 3 at Appendix 1** shows a breakdown of the overall anticipated additional costs that may be incurred by commencing limited food waste collections early. It should be noted that all costs are estimates, as procurement processes for caddies, bins and vehicles are ongoing. **This item contains exempt information under Schedule 12A of the Local Government Act 1972 (as amended by the Local Government), (Access to Information), (Variations Order 2006) namely, information relating to the financial or business affairs of any particular person (including the authority holding that information)**
- 4.11 It is proposed that the trial collections should commence in the Rossmere Ward as this provides a good representation of housing types and so provides a good insight into how the scheme will operate.

Waste Transfer Station / Household Waste Recycling Centre Requirements

- 4.12 The Council's residual waste (non-recyclable) is managed through the regional waste management partnership formed by the current Tees Valley Authorities (TVA), Durham County Council (DCC) and Newcastle City Council (NCC).
- 4.13 The current residual waste facility at Haverton Hill is coming to the end of its serviceable life.
- 4.14 As such, the partnership have been working to secure a replacement energy recovery facility for processing its combined residual waste tonnages. This energy recovery facility is to be built at the Grangetown site in Redcar with an anticipated operational commission date of late 2029.
- 4.15 The requirement for a new Hartlepool residual waste transfer station development is a component part of the new energy recovery facility project. Under the current partnership arrangements the partners share all the energy recovery facility operating costs equally. This is done on a proportional basis based upon the tonnage each partner puts through the facility annually.
- 4.16 It has been agreed by all Tees Valley Councils that none of the Councils should in effect be penalised by having to incur increased transfer / haulage costs as a result of the location where the new site is to be constructed.
- 4.17 Under the Heads of Terms Agreement the costs associated with the operation of a waste transfer station, in respect of Contract Waste only and in relation to it being received at the transfer station, would be shared on a proportional basis, based on tonnage, between the Councils. The transfer station operation may be operated in-house by the Council in question or may be sub-contracted and operated by a third party.
- 4.18 In seeking approval to progress the development of its own residual waste transfer station ensures the Council is:
- (i). Not financially disadvantaged by the additional distance and associated increased waste transport costs to the new energy recovery facility once it is operational;
 - (ii). Minimising its environmental and carbon footprint by facilitating the bulk hauling of the waste resource;
 - (iii). Optimising the use of its kerbside collection refuse collection vehicles and crews; and
 - (iv). Facilitating the future proofing of its critical waste management infrastructure in light of new burdens resulting from the new 2021 Environment Act.
- 4.19 An options appraisal has confirmed construction of a residual waste transfer station in Hartlepool and the bulk haulage using its own vehicles and staff as the best value, most environmentally appropriate, and operationally resilient solution. The running costs would be equalised across all five Tees Valley

energy recovery facility partners on a proportional basis for the 25 year duration of the energy recovery facility Project Agreement.

4.20 Three options were considered by annual cost and are summarised in Table 4

Table 4: Options Appraisal

Option	Option description	Environmental impact: Vehicle emissions (1 least impact)	Operational efficiency and coordination (1 best)	Risk to business continuity (1 lowest = best)	Ranking of overall solution
A	HBC deliver direct to new ERF using RCV's and hookloader	3	2	2	2nd
B	Use third party transfer station and bulk haulage	2	3	3	3rd
C	HBC build and operate transfer station and bulk haul using own vehicles and staff	1	1	1	1st

- 4.21 Option C whereby the Council build and operate its own residual waste transfer station and bulk-hauling waste using dedicated vehicles and staff is the best value, most environmentally appropriate, and operationally resilient solution.
- 4.22 The new energy recovery facility is currently due to be commissioned by late 2029 leaving the interim period to complete site acquisition, design and planning, construction and commissioning of the new residual waste transfer facility.
- 4.23 Through the options appraisal there has also been an opportunity identified to generate savings and operational efficiencies by combining the requirement for a waste transfer station with a new replacement for the Household Waste Recycling Centre for Hartlepool on the same site as the new residual waste transfer station. Potential benefits for such a scheme could include;
- (a). **Financial.** Constructing a new Household Waste Recycling Centre adjacent to new Waste Transfer Station site could generate an annual operational saving. In addition the new Household Waste Recycling Centre facility would help to avoid increasing annual infrastructure repair pressures associated with an old site;
 - (b). **Customer focused.** A new Household Waste Recycling Centre site could be purposely designed to meet modern customer standards to allow an increase in the daily capacity of the facility;
 - (c). **Fit-for-purpose modern facility.** Provide the opportunity to have an easily accessible fit-for-purpose facility;

- (d). **Increased income generating potential.** Allow the space for development of further income from chargeable business waste;
- (e). **Recycle Repair Reuse facility to help reduce waste disposal costs.** Allow sufficient space for the development of the Recycle Repair Reuse facilities and bring in further income in-line with new legislative expectations;
- (f). **Reduced carbon footprint and transport costs.** Reduce waste container trans-shipment times and costs between the two facilities i.e. emptying skips full of Household Waste Recycling Centre waste; and
- (g). **Lower operational costs.** Make management, supervision and security arrangements for the sites easier and better coordinated by being concentrated on one site rather than two.

4.24 At this early stage in development it is proposed to consider the combination of the two sites in further detail during detailed design and site appraisal. It should be noted that any costs associated with the Household Waste Recycling Centre would be covered by the Council and not the wider Tees Valley partnership.

5. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	<p>There is a risk that the new Government may change the requirements of ‘<i>Simpler Recycling</i>’ however in order to meet the current dates, implementation needs to start imminently.</p> <p>There is a risk that savings that may not be realised by diverting food waste from the residual waste stream, into the cheaper food waste treatment routes, or that tonnages collected are lower than expected.</p> <p>Without a suitable Waste Transfer Station in operation by the end of 2029, the Council will incur additional costs in transporting waste to the new disposal site.</p>
FINANCIAL CONSIDERATIONS	<p>There will be an unbudgeted, yet unavoidable, cost associated with the phased introduction of food waste collections, however this is partly offset by the anticipated reduction in residual waste. This is anticipated to be in the region of £63k.</p> <p>The costs for the Waste Transfer Station will be equalised across all five Tees Valley energy recovery facility partners on a proportional basis (based on tonnage), for the 25 year duration of the Tees Valley Energy Recovery Facility Project Agreement however costs relating to the Household Waste Recycling Centre will remain the Council’s responsibility.</p>

	The costs for the Household Waste Recycling Centre will be investigated through the detailed design. A further report will be produced on these options and any additional borrowing for the Household Waste Recycling Centre element would need to be covered by existing Household Waste Recycling Centre revenue budget.
SUBSIDY CONTROL	No relevant issues.
LEGAL CONSIDERATIONS	<p>The Waste Transfer Station and Household Waste Recycling Centre would need a site licence which is granted by the Environment Agency. This can be a lengthy process and so early engagement is recommended.</p> <p>The cost sharing is covered in energy recovery facility Project Agreement signed by the Tees Valley Authority partners: Hartlepool Borough Council; Darlington Borough Council; Middlesbrough Council; Redcar and Cleveland Borough Council; Stockton-on-Tees Borough Council.</p>
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	Communications relating to changes to services will incorporate infographics to make them understandable to all.
STAFF CONSIDERATIONS	Additional staffing will be required to deliver food waste collections. It is estimated that this will total five drivers and ten operatives.
ASSET MANAGEMENT CONSIDERATIONS	Relocation of the Waste Transfer Station and Household Waste Recycling Centre will require the Council to identify new land for development, and vacate the site at Burn Road.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	<p>Circular Economy – National and global perspective. The government recognises a change is needed to improve the way we collect and recycle the resources in our waste material streams. As part of the Circular Economy package, the UK needs to achieve a 65% municipal recycling rate by 2035. The new energy recovery facility forms part of the Tees Valley Waste Management Strategy to minimise waste going to landfill and where ever possible ensuring materials are recycled and reused.</p> <p>Carbon Capture and Storage. The new energy recovery facility scheme is part of the Net Zero Teesside partnership aspirations. Backed by Department of Business, Energy</p>

	<p>and Industrial Strategy (BEIS) grant funding, it should see the deployment of Carbon Capture and Storage equipment to remove carbon from the energy recovery facility emissions.</p> <p>Recycle, Repair, Reuse. Local Authorities are being asked through the Environment Act 2021 to make collection and recycling services more effective and improve the quantity and quality of recycled materials. This will mean greater source-separation of household and business recycling waste streams. Similarly the requirements will place pressure on household waste recycling centres to provide further improvements to encourage the ‘reuse – recycling – repair’ of as much waste materials as possible.</p> <p>Net Zero. ‘Road to Zero’ is the government’s long-term strategy to transition to zero emission road transport (effectively by 2040), while reducing emissions during the transition. A key part of this transition is reducing unnecessary road transport and the proposed bulking up and haulage of residual waste supports this approach with less vehicles needed and fewer journeys. Construction of new facilities will also enable the necessary electrical transmission infrastructure to be designed and installed to ensure the sites are future proofed for the envisaged electric vehicle replacements for the heavy goods vehicles and plant required to operate the facilities.</p>
CONSULTATION	Full consultation will be undertaken with Members and residents prior to the food waste roll out.

6. RECOMMENDATIONS

- 6.1 That Members note the implications of ‘*Simpler Recycling*’.
- 6.2 That approval is granted for the early implementation of food waste collections noting the potential cost associated with this.
- 6.3 That approval is given for officers to begin the detailed design work required to build a new waste transfer station, including site identification, capacity needs and construction design.
- 6.4 That this piece of work also considers the possible inclusion of a new Household Waste Recycling Centre at this facility, including the benefits, risks, costs, etc. and that this is reported back to Committee at a future date once the feasibility work is complete.

7. REASONS FOR RECOMMENDATIONS

- 7.1 ‘*Simpler Recycling*’ mandates the Council to bring about changes to the way that it collects and separates waste. An early start to food waste collections will be essential, as it will not be possible to introduce the full service across the Borough on the day of the deadline.
- 7.2 The existing Waste Transfer Station will not be fit for purpose once the new energy recovery facility is operational. Funding will be provided via a mechanism in the pricing structure for the new energy recovery facility. Unfortunately there is no scope to extend our existing sites to accommodate a new Waste Transfer Station. Staff and machinery would be shared between the Waste Transfer Station and Household Waste Recycling Centre, therefore it would be beneficial to consider further the possible co-location of both facilities to generate efficiencies and create one fit for purpose site.

8. BACKGROUND PAPERS

- 8.1 None

9. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 13/08/2024
Director of Finance, IT and Digital	Date: 13/08/2024
Director of Legal, Governance and HR	Date: 06/08/2024

NEIGHBOURHOOD SERVICES COMMITTEE

2 SEPTEMBER 2024



Subject: HEALTH & SAFETY SERVICE PLAN 2024-25

Report of: Assistant Director (Regulatory Services)

Decision Type: Non-Key

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people will be safe and protected from harm.
- that has an inclusive and growing economy.
- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

- 2.1 To approve the Health & Safety Service Plan for 2024-25, which is a requirement under Section 18 of the Health and Safety at Work etc. Act 1974.

3. BACKGROUND

- 3.1 The Health & Safety Executive (HSE) has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities to ensure that authorities are providing an effective service to protect public health and safety.
- 3.2 The Health & Safety Executive has issued guidance to local authorities, which provides information on how local authority enforcement service plans should be structured and what they should contain.
- 3.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.
- 3.4 The Health and Safety Enforcement Service Plan for 2024-2025 is available in **Appendix 1** and takes into account the guidance requirements. The Plan details the Service's priorities for 2024-25 and beyond where appropriate. It also highlights how these priorities will be addressed.

4. PROPOSALS/OPTIONS FOR CONSIDERATION

- 4.1 The Service Plan for 2024-25 has been updated to reflect last year's performance and reflect changes in service demand.
- 4.2 The Plan covers the following:
- (i) Service Aims and Objectives;
 - (ii) The background to the Authority, including the scope and demands on the Health and Safety Service;
 - (iii) Service delivery, including intervention programmes, service requests, complaints, advice, liaison and promotion;
 - (iv) Resources, including financial allocation, staff allocation and staff development;
 - (v) A review of performance for 2023-24

5. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

- 5.1 The Council is the enforcing authority for 1,357 premises within Hartlepool. In planning our intervention programme for 2024-25, we have had regard to the 'National Local Authority Enforcement Code Health and Safety at Work England, Scotland & Wales'.
- 5.2 The majority of businesses we have enforcement responsibility are small to medium employers with many employing less than 5 staff. The table below provides a profile of the premises within the borough.

Premises Type	No of Premises as at 01/04/24
Retail Shops	397
Wholesale	24
Offices	130
Catering Services	256
Hotel/residential	15
Residential Care Homes	39
Leisure and Cultural	256
Consumer Services	234
Other (Miscellaneous)	6
Total	1357

- 5.3 HSE provides local authorities with guidance and tools for priority planning and targeting their interventions, enabling them to meet the requirements of the National Local Authority Enforcement Code (the Code). The Code is given legal effect as HSE guidance to local authorities under section 18(4) (b) of the

Health and Safety at Work etc. Act 1974. It is designed to ensure that local authority health and safety regulators take a more consistent and proportionate approach to enforcement.

- 5.4 The Council has a vital role to play in ensuring that the regulatory system is focused on better health and safety outcomes and not purely technical breaches of the law. During 2024-25, we will carry out a range of interventions based on risk, local intelligence, performance history, RIDDOR reports, complaints and local occupational health data.
- 5.5 The Code states that proactive inspection must only be used to target the high-risk activities in those sectors specified by HSE or where intelligence suggests risks are not being effectively managed. HSE have published a Local Authority (LA) Circular LAC 67/2 (Revision 13) 2024/25 which sets out guidance to assist LAs in setting priorities and targeting interventions. This contains details of the national priorities. (Not all national priorities have a proactive inspection component).
- 5.6 In delivering their priorities, LAs should ensure their planned regulatory activity is focused on improved outcomes, for example better risk management, improved health as well as reduced injuries to employees or members of the public.
- 5.7 The Code provides flexibility for local authorities to address local priorities alongside the national priorities set by HSE. During interventions, officers will focus on specific risks that are the key causes of serious workplace accidents, injuries and ill health.
- 5.8 Priorities can be addressed during our contact with businesses, including through other areas of work e.g. food inspections, licensing visits and following notifications of local events to the Safety Advisory Group (SAG).
- 5.9 We have identified the following local priorities:
- Asbestos Management
 - Electrical & Gas Safety in Commercial Premises
 - Cellar Safety
 - Deliveries / Workplace Transport
 - Occupational Disease e.g. Dermatitis, Asthma
 - Managing Risks from Legionella
 - Hygiene in Tattoo Studios and Salons offering Beauty Treatments e.g. micro-blading, application of semi-permanent make up etc.
- 5.10 During 2023/24, health and safety interventions were carried out at 274 premises. These were risk based and multiple priority topics were covered during some of these visits. All visits were undertaken in conjunction with food interventions.

- 5.11 In addition to the planned interventions officers carried out 43 revisits to monitor compliance with contraventions identified during these planned interventions. During the year, we worked with 41 new businesses and continued to offer tailored advice and information on request.
- 5.12 During the year the Authority undertook 325 enforcement visits to assess compliance with smoke free legislation that came into force on 1st July 2007, a proportion of which were carried out in conjunction with health and safety interventions.
- 5.13 No promotional / campaign work or sampling was undertaken during 2023/24 however this work will be undertaken as required during 2024/25.
- 5.14 During 2023-24, water sampling was undertaken from bathing water (swimming pools, spa and hydrotherapy pools) and from 4 vessels visiting Hartlepool. Most samples were taken upon request and were in relation to microbiological examination for the presence of Legionella and to assess water quality. In addition 11 Ship Sanitation Exemption certificates were issued.
- 5.15 During 2024-25 we plan to continue the above water sampling and also to participate in a regional sampling study looking at hygiene in tattoo and cosmetic piercing salons.
- 5.16 During 2023-24, the Council continued to respond to any health and safety complaints in the usual manner. The service carried out 24 visits in response to 24 complaints / service requests relating to health and safety conditions and working practice. The initial response to these requests was undertaken within our target of 2 working days.
- 5.17 The service received 31 accident notifications during the year. After applying selection criteria based on national guidance, five of these notifications were selected for further investigation.
- 5.18 With regards enforcement action under Health and Safety at Work etc. Act 1974, and associated legislation, no legal proceedings was undertaken nor any enforcement notices served during 2023/24.
- 5.19 Local authorities are required to assess whether there is sufficient capacity within the authority to undertake their statutory duties and to deliver an effective service. The Service Plan sets out the resources determined necessary to deliver the health and safety service in 2024-25.
- 5.20 The Public Protection section continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount. During 2024-25, we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviour and improving the management of health and safety risks. We will continue to

explore how we can contribute to the Public Health Outcomes Framework and will continue to seek additional income streams to supplement our work.

- 5.21 We will need to keep abreast of, and respond to, any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will review and update our Quality Management System and Standard Operating Procedures for Health and Safety as appropriate.

6. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	If the Health and Safety Service Plan 2024-25 is not adopted we will not meet the requirements of Section 18 of the Health and Safety at Work etc. Act 1974.
FINANCIAL CONSIDERATIONS	No relevant issues
SUBSIDY CONTROL	No relevant issues
LEGAL CONSIDERATIONS	If the Health and Safety Service Plan 2024-25 is not adopted we will not meet the requirements of Section 18 of the Health and Safety at Work etc. Act 1974.
CHILD AND FAMILY POVERTY	No relevant issues
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues
STAFF CONSIDERATIONS	No relevant issues
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues
CONSULTATION	No relevant issues

7. RECOMMENDATIONS

- 7.1 That the Neighbourhood Services Committee approves the Health and Safety Service Plan for 2024-25.

8. REASONS FOR RECOMMENDATIONS

- 8.1 The Health and Safety Service Plan 2024-25 needs to be adopted to comply with the requirements of Section 18 of the Health and Safety at Work etc. Act 1974.

9. BACKGROUND PAPERS

- 9.1 There are no background papers for this report.

10. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 14/08/2024
Director of Finance, IT and Digital	Date: 12/08/2024
Director of Legal, Governance and HR	Date: 11/07/2024



Hartlepool Borough Council

Health & Safety Service Plan 2024-25

HEALTH & SAFETY SERVICE PLAN 2024-25

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INTRODUCTION

This Service Plan details how the health and safety service will be delivered by Hartlepool Borough Council.

The Plan accords with the requirements of the mandatory guidance issued by the Health and Safety Executive (HSE) under Section 18 of the Health and Safety at Work etc. Act 1974 (HSWA).

In May 2013, HSE published the National Local Authority Enforcement Code (the Code). The Code is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk-based approach to targeting. Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.

This Plan sets out the Council's aims in respect of its health and safety enforcement service and the means by which those aims are to be fulfilled.

Whilst focussing primarily on the year 2024-25 longer-term objectives are identified, where relevant. Additionally, there is a review of performance for 2023-24 and this aims to inform decisions about how best to build on past successes and address performance gaps.

The Plan is reviewed annually and approved by the Neighbourhood Services Committee.

1 SERVICE AIMS AND OBJECTIVES

1.1 Service Aims and Objectives

Hartlepool Borough Council aims to:

- carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources;
- supplement our enforcement role by providing targeted education and advice;
- encourage innovation through actively seeking out best practice and working in partnership with other agencies;
- actively contribute towards achieving nationally agreed strategic aims and objectives; and
- ensure our actions are consistent, proportionate and targeted and that we are transparent and open about what we do.

In its delivery of the service the Council will have regard to directions from the Health and Safety Executive, Health and Safety / Local Authority Liaison Committee (HELA), Approved Codes of Practice, the Regulators' Code, and any other relevant guidance.

1.2 Links to Corporate Objectives and Plans

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Council Plan 2021-22 – 2023-24
- Hartlepool's Community Strategy – the Local Strategic Partnerships (the Safer Hartlepool Partnership) and the Health and Well Being Board
- Health & Safety Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Public Protection service's contribution to corporate objectives.

1.2.1 Overall Aim / Vision

Hartlepool will be a place...

- ***where people are enabled to live healthy, independent and prosperous lives;***
- ***where people will be safe and protected from harm;***
- ***of resilient and resourceful communities with opportunities for all;***
- ***that is connected, sustainable, clean and green;***
- ***that has an inclusive and growing economy;***
- ***with a Council that is ambitious, fit for purpose and reflects the diversity of its community.***

To contribute to the Council's overall vision, through this Health & Safety Enforcement Service Plan, the team has made a commitment to protecting and improving the quality of life for residents of Hartlepool through effective promotion and enforcement of health and safety legislation.

This Health & Safety Service Plan contributes towards elements of the Council Plan vision in the following ways:

...where people will be safe and protected from harm.

By ensuring that businesses meet their obligations as regards health and safety the well-being of both employees and the public will be protected;

...that has an inclusive and growing economy.

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to health, safety and welfare requirements, and avoid potential costly action at a later stage;

...with a Council that is ambitious, fit for purpose and reflects the diversity of its community

By developing ways of communicating well with all customers, including business operators whose first language is not English, and ensuring that we deliver our service equitably to all.

To contribute towards the key outcomes of improving the efficiency and effectiveness of the organisation and to deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction.

The Council is committed to the principles of equality and diversity. The Health and Safety Service Plan consequently aims to ensure that the same high standards of service are offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 92,571 (Mid-Year Estimate 2021, ONS) of which 3.5 % are Black, Asian and minority ethnic (BAME) communities. (Census 2021).

Hartlepool is a unitary authority, providing a full range of services. To the south of Hartlepool is the wider Teesside conurbation which includes the boroughs of Middlesbrough, Stockton on Tees and Redcar and Cleveland, and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.

The borough has a long and proud history, with the original settlement of Hartlepool dating back to Saxon times. Originally, an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201.

The main phase of Hartlepool's expansion took place from the mid 19th Century with the building of a new railway and docks to serve the export of coal. The town continued to expand over the next 100 years as port trade increased and the development of heavy industries including steel making, shipbuilding and manufacturing. Like most industrialised towns in the north of England, Hartlepool has suffered over the last half century from structural reform of these industries and the town has had to look for new opportunities to diversify the economy.

Over the past 20-25 years, Hartlepool has experienced some transformational changes through public and private investment. This has included the transformation of the former South Docks area into a fabulous 500-berth marina where the town hosted The Tall Ships Race in 2010 and 2023.

The tourist industry impacts upon recreational opportunities, shopping facilities and leisure facilities including the provision of food and drink outlets.

There are currently 1357¹ businesses in Hartlepool for which the Council is the enforcing authority.

2.2 Organisational Structure

Under the Council's governance arrangements, most day-to-day decisions are taken by five Policy Committees. These Policy Committees cover the following main service areas: -

- Finance and Policy Committee
- Adult & Community Based Services Committee
- Children's Services Committee
- Neighbourhood Services Committee
- Regeneration Services Committee

The Neighbourhood Services Committee provides political oversight for health and safety law enforcement.

The Council is made up of four Departments:

- Children's and Joint Commissioning Services
- Adult and Community Based Services
- Development, Neighbourhoods & Regulatory Services
- Legal, Governance & HR

The health and safety service is delivered through the Public Protection section of the Development, Neighbourhoods & Regulatory Services Department.

2.3 Scope of the Health and Safety Service

The Council's Commercial Services team is a constituent part of the Development, Regeneration and Neighbourhoods Department and is responsible for delivery of the health and safety service. Service delivery broadly comprises:

- Carrying out interventions including inspections;
- Investigating concerns/complaints regarding health and safety and associated issues;
- Investigating workplace accidents, diseases and dangerous occurrences;
- Providing advice and information;
- Taking action (formal and informal) to ensure compliance with legislation;
- Responding to asbestos notifications;
- Registering premises and persons offering personal treatments e.g. body piercing, tattooing, acupuncture etc.;
- Acting as a Statutory Consultee for applications made under the Licensing Act 2003; and
- Enforcing smoke-free legislation in public places.

¹ Total number of premises as at 01/4/2024
Health & Safety Service Plan 2024-25 – Appendix 1

To achieve strategic aims and objectives it is necessary to work in partnership with other local authorities, the Health and Safety Executive and businesses. The Council aims to ensure that these joint working arrangements are in place and that officers of the service contribute and are committed to the ongoing development of these arrangements.

2.4 Demands on the Health and Safety Service

The Health and Safety Executive and Local Authorities are the principal enforcing authorities for Health and Safety at Work etc Act 1974 (HSWA) in Great Britain.

The primary purpose of the HSWA is to control risks from work activities. The role of the HSE and LAs is to ensure that duty holders manage and control these risks and thus prevent harm to employees and to the public.

The type of premises/nature of work activity falling to local authorities for enforcement is dictated by Health and Safety (Enforcing Authority) Regulations 1989 with further guidance provided by Health and Safety / Local Authority Liaison Committee (HELA), which is the formal enforcement liaison committee between the HSE and LAs.

There are currently 1,357 premises in Hartlepool for which the Council is the Enforcing Authority for Health and Safety. Such premises include retailers, wholesalers, offices, catering premises (including hotels and guesthouses), leisure and consumer services and residential care homes. The businesses are predominantly small, medium and micro businesses (employing less than 10 employees).

Other premises within the borough, including premises within local authority control, are within the enforcing remit of the Health & Safety Executive (HSE). The table below provides a profile of the premises within the borough.

Premises Type	No of Premises as at 01/04/24
Retail Shops	397
Wholesale	24
Offices	130
Catering Services	256
Hotel/residential	15
Residential Care Homes	39
Leisure and Cultural	256
Consumer Services	234
Other (Miscellaneous)	6
Total	1357

The delivery point for the health and safety enforcement service is at:
 Civic Centre
 Victoria Road
 Hartlepool
 TS24 8AY
 Telephone: (01429) 266522

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies, which occur out of hours. Contact can be made on (01429) 266522, then Option 1, then Option 2.

2.5 Enforcement Policy

Hartlepool Borough Council adopted its current Enforcement Policy in 2021. Supplementary to this, a Public Protection Enforcement Policy deals with those enforcement issues specific, or unique, to the service. This policy applies to health and safety enforcement.

The Health and Safety Executive Enforcement Management Model (EMM) will be used to inform the service's decision-making process. Officers also have reference to the HSE's Enforcement Guide and the Work Related Deaths Protocol.

3 SERVICE DELIVERY

The Council is committed to meeting its obligations under Section 18 of the Health and Safety at Work etc Act 1974.

3.1 Regulatory Reform

There have been significant changes in regulatory approach in recent years. The key objective is to free up business growth by transforming regulatory enforcement.

In drawing up this service plan, we are setting out the approach we intend to take to comply with the National Local Authority Enforcement Code Health and Safety at Work England, Scotland & Wales' (the Code). This is to ensure that we use a risk-based, targeted and proportionate approach to our interventions and enforcement in accordance with the principles of good regulation, which requires enforcement to be demonstrably targeted, proportionate, consistent, transparent and accountable.

The Code acknowledges that whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to a wider public health agenda.

The Code provides direction to local authorities on meeting these requirements, and reporting on compliance. To assist local authorities understand and implement the code, supplementary guidance is published annually.

The Service Plan sets out the risks, which we consider we need to address and the range of interventions that we will use to influence behavioural change in the way business manages or undertakes its work.

Officers carrying out regulatory interventions will ensure that every effort is made to reduce administrative burdens on business. At the same time, they will take efficient, effective and proportionate enforcement, concentrating on poor performers who present the highest risk to the health and safety of workers and the public.

Hartlepool Council is an active member of the Tees Valley Health and Safety Liaison Group. Through this group, the five local authorities collectively target work areas based on:

- national priorities
- local priorities based on intelligence and evidence

As appropriate, a joint work plan is prepared and we aim to deliver this along with other interventions that are required at a local level.

This service plan sets out the activities that the service intends to carry out in 2024-25 to meet this requirement within the resources available. The programme will be delivered using the following interventions:

3.2 Interventions

As part of the Code HSE will monitor report and direct the approach of local authority regulatory intervention. This guidance supports HSE in this process by requiring local authorities to carefully consider how they target their inspections and investigations in a manner that is:

- Reactive – typically investigative actions, undertaken in response to a specific incident or complaint or visits in response to requests for assistance,

or

- Proactive – inspections that are not triggered in response to a single specific incident or concern but result from a wider consideration of local intelligence or national trends that identify poor performers.

There is a range of intervention types available for the regulation of Health and Safety at Work. These include:

a. Proactive interventions:

- This involves influencing and engaging with stakeholders and with the workforce and working with those at risk.
- Working with other regulators including HSE, other LA regulators, the Police and the Care Quality Commission (CQC) etc.
- Creating knowledge and awareness of health and safety risks and encouraging behaviour change through:
 - education and awareness
 - best practice
 - recognising good performance

- proactive inspection (restricted to activities/sectors specified by HSE or where there is evidence that risks are not being effectively managed)

b. Reactive interventions:

- incident and ill-health investigation
- dealing with issues of concern that are raised and complaints

Health and safety interventions are carried out in accordance with the Council's policy and standard operating procedures and relevant national guidance i.e. the Code.

Information on premises liable to health and safety interventions is held on the APP computerised system. An intervention programme is produced from this system at the commencement of each reporting year.

During 2024-25, we will carry out a range of interventions based on risk, local intelligence, performance history, RIDDOR reports, complaints and national occupational health data.

3.2.1 Proactive interventions including inspections

HSE provides LAs with guidance and tools for priority planning and targeting their interventions, enabling them to meet the requirements of the National Local Authority Enforcement Code (the Code). Local Authority (LA) Circular (LAC 67/2 (rev 13) is guidance under Section 18 of the Health and Safety at Work etc. Act 1974 (HSWA) and replaces LAC 67/2 (rev 12) and all earlier versions.

The Code states that proactive inspection must only be used to target the high-risk activities in those sectors specified by HSE or where intelligence suggests risks are not being effectively managed.

Proactive inspections should only be used for:

- a) Specific projects/programmes of inspections identified by HSE for LA attention;
- b) High risk premises / activities within the specific LA enforced sectors published by HSE;
- c) Locally identified potential poor performers. This is where specific local intelligence indicates that a business is failing to effectively manage risk.

In all circumstances, local authorities have the discretion as to whether or not proactive inspection is the most appropriate intervention using their local knowledge/intelligence of the dutyholder.

3.2.2 Delivery of priorities

In delivering their priorities, local authorities should ensure their planned regulatory activity is focussed on outcomes. The Code provides flexibility for local authorities to address local priorities alongside the national priorities set by HSE. Having identified their evidence-based priorities local authorities are directed to address them using the whole range of regulatory interventions but preserve proactive inspection only for activities/sectors specified by HSE or where there is evidence that risks are not being effectively managed.

Priorities are presented in the Code in 2 distinct sections, one focussing on health and the other safety. These national priorities have been collated from intelligence.

a) National priorities

LAC 67(2) (rev 13) identifies the following national priorities:

Section 1 – Health Topics

Occupational Lung Disease

1. Asbestos – Duty to Manage

In premises likely to contain asbestos (i.e. built before 2000) regulators should draw duty holders' attention to their duty to manage and the relevant guidance/webpages – www.hse.gov.uk/asbestos/

LA EHOs should focus their attention on determining how every relevant duty holders' premises they enter is managing asbestos.

2. Respirable silica dust.

Dust, containing harmful respirable crystalline silica (RCS), can be generated during common operations such as block cutting, chasing brickwork and cutting concrete floors.

During visits, LAs may come across minor construction work that is generating significant quantities of silica dust that may give rise to a matter of evident concern. Poor standards should be addressed with duty holders and appropriate enforcement action taken.

3. Legionella

a. Spa pools and hot tubs in the holiday sector

LAs should raise awareness of the risks of display spa pools and hot tubs and promote careful management to ensure that water quality does not encourage microbial growth and pose risks to people in the vicinity or passing near the spa pool or hot tub

b. Spa pools and hot tubs on display

Most spa pools and hot tubs in a retail, exhibition or trade show setting will not be filled with water (and will not therefore present any risk), however, when filled with water and in operation, these systems present an under-appreciated infection risk. LAs should raise awareness of the risks of display spa pools and hot tubs and promote careful management to ensure that water is used, water quality does not encourage microbial growth and pose risks to people in the vicinity or passing near the spa pool or hot tub.

4. Cooling towers located in built-up areas

Cooling towers can have the potential to spread aerosol several hundred metres from the source, which in a built up area, can potentially expose very large numbers of person's offsite. LAs should satisfy themselves that Legionella risks from cooling towers located in built-up areas are being appropriately managed.

5. Work Related Stress (WRS)

This year the national priority covers 2 aspects of linked work, i) the continued awareness raising of the work-related stress and mental health campaign 'Working Minds' with businesses and ii) intelligence gathering.

EHOs should continue raising awareness to employers and their workers of the necessary tools to prevent work related stress and help support good mental health at work alongside awareness raising activity. LA EHOs are requested to capture intelligence relating to duty holder management of WRS and to share this intelligence with HSE.

6. Visitor attractions to prevent or control ill health arising from animal contact

Section 2 – Safety Topics

1. Planned Preventive Maintenance

Planned preventative maintenance (PPM) of work equipment is essential to the reduction of serious injuries and fatalities in the workplace. LA health and safety regulators are asked to undertake awareness raising interventions, with duty holders, reminding them of their statutory duties and signpost to relevant guidance material.

2. Inflatable amusement devices

There has been a number of serious incidents where inflatable amusement devices have collapsed or blown away in windy conditions. Inflatables can be found at many premises that fall to LAs for enforcement, and LAs should raise awareness of the general risks associated with the operation of such devices.

3. Trampoline Parks – improved information provision and supervision of users.

Over the past few years there has been an increase in the number of accidents occurring at the parks, involving both children and adults, which

resulted in a specified major injury (fracture) as well as a small number which resulted in life-changing injuries. LA health and safety regulators are asked to highlight, with their duty holders, the importance of ensuring that there are suitable and sufficient standard operating procedures in place to ensure the safety of users, spectators, employees, and others.

4. Gas safety in commercial catering premises

The proper installation, maintenance and inspection by a competent GAS Safe registered engineer is essential to ensure protection from exposure to carbon monoxide gas.

LA health and safety regulators should raise awareness, with their local duty holders, of the risks of exposure to carbon monoxide in commercial kitchens from badly installed or faulty appliances; poor ventilation resulting in lack of make-up air to support combustion; and/or inadequate extraction systems.

5. Electrical safety in hospitality settings

The Electricity at Work Regulation 1989 requires that any electrical equipment, which has the potential to cause injury, is maintained in a safe condition. LA enforcement officers are asked to increase awareness to improve standards of compliance.

6. Safety in Motorsport and Motor Leisure Industries

LAs are asked to ensure that those circuits with a history of public use, e.g. track days and karting centres, are aware of a safety notice issued by HSE regarding trackside vehicle restraint barriers and have acted upon the notice where necessary.

7. Provision of licensable adventure activities without an AALA licence

The Adventure Activities Licensing Regulation 2008 (as amended) 1989 requires anyone who provides facilities for adventure activities to under 18s in return for payment to hold a licence.

Local authority enforcement officers are asked to be alert to providers in their local area who may be operating without a licence, and to take appropriate action.

8. Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins

When engaging with businesses that use commercial waste bins LA health and safety regulators should raise duty holder awareness of the need to manage the risks of unsecured access to bins.

Not all national priorities have a proactive inspection component. Many of the above will be discussed during routine contact with duty holders e.g. during routine food interventions, following complaints or accident investigations or when providing advice in respect of events notified to Hartlepool's Safety Advisory Group (SAG).

b) Regional Priorities

We will work in partnership with the other Tees Valley Authorities and HSE where appropriate to deliver local awareness based initiatives and enforcement.

All members of the Tees Valley Health and Safety Liaison Group have agreed to seek opportunities to engage with the public health agenda with particular emphasis on improving health in the workplace. Best practice and opportunities for partnership work concerning public health will be shared. The group will also carry out consistency exercises and training activities identified as necessary during the year.

c) Local Priorities

We recognise that we have a vital role to play in ensuring that the regulatory system is focused on better health and safety outcomes and not purely technical breaches of the law. During interventions, officers will focus on specific risks, which are the key causes of serious workplace accidents, injuries and ill health in our community.

Using local based intelligence we have identified the following priorities, which can be addressed during our contact with businesses, including through other areas of, work e.g. food inspections and licensing visits.

Priority Topics

- Asbestos Management
- Electrical & Gas Safety in Commercial Premises
- Cellar Safety
- Deliveries / Workplace Transport
- Occupational Disease e.g. Dermatitis, Asthma
- Managing Risks from Legionella
- Hygiene in Tattoo Studios and Salons offering Beauty Treatments e.g. Micro blading, application of semi-permanent make-up etc.

It is anticipated that consistent, high quality interventions by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

An estimated 10% of interventions are within premises where it is more appropriate to conduct interventions outside the standard working time hours. Arrangements are in place to inspect these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime. In addition, these arrangements will permit the occasional intervention at premises that open outside of, as well as during standard work time hours.

Revisits will be carried out to check compliance with all statutory notices also where contraventions have been identified that may lead to risks to health and

safety. Revisits other than for statutory notices will be made at officer's discretion.

The intervention programme for 2024/25 is expected to generate 5 revisits. As safety standards may have fallen during the COVID-19 Pandemic and/or cost of living crisis, this figure could however be significantly higher. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place to facilitate this.

The performance against targets for all health and safety interventions is reported annually to the Neighbourhood Services Committee in the Health and Safety Service Plan.

3.2.3 Unrated Premises

We endeavour to maintain an accurate database of health and safety premises in the Borough (so far as is possible given that there is no longer a requirement for premises to notify their presence to LAs) and record information to enable the completion of statutory returns to the HSE's Local Authority Unit. Currently there is no national guidance on how to address unrated premises, with the exception that premises must not receive an inspection without a reason.

We aim to identify businesses that fit in with national, regional and local priorities (e.g. by business directories, information from business rates and other intelligence) so that we can focus our interventions on those that present the greatest risk.

3.2.4 Combined Food & Health and Safety Interventions

We currently provide a combined food safety and health and safety service and have done so for many years to maximize resource use. Our planned approach does not result in an increase of proactive health and safety inspections, which is in accordance with government mandate.

3.3 Reactive Interventions

3.3.1 Health and Safety Complaints and Service Requests

In order to target those businesses that are poor performers and not meeting the requirements under health and safety legislation we will place significant emphasis on reactive work such as dealing with complaints, accidents and incidents.

It is intended that every complaint / request for service be responded to within 2 working days. The initial response is determined after assessment of the information received, and is based on the risk arising from the conditions that are the subject of the complaint.

Complaints are investigated in accordance with established procedures. The potential actions that are available vary from the provision of advice, often after liaison with the business, to full prosecution procedures in line with the

Council's Public Protection Enforcement Policy. Officers also have regard to the Enforcement Management Model (EMM) when making enforcement decisions.

This reactive work is variable and unpredictable in nature and volume and includes complaints about poor working conditions, safety concerns and smoke free complaints. Based on the previous two years data it is estimated that 30 complaints / service requests will result in a visit being carried out.

3.3.2 Dealing with Matters of Evident Concern

The Code acknowledges that there will be other reasons that local authorities undertake site visits to businesses, for example food hygiene or licensing, and there will be circumstances when officers may become aware of a significant health and safety issue. Local authorities are directed to deal with such matters at the time of the initial visit wherever possible and factor it into their assessment of how the company is managing its risks, rating the premises accordingly.

Information relating to action taken in dealing with matters of evident concern has not previously been recorded as it forms part of the officer's role, but it is estimated as likely to require reactive health and safety interventions during approximately 30% of food safety inspections.

3.3.3 Accident/Disease/Dangerous Occurrences Investigations

Some accidents, diseases and dangerous occurrences must be reported under the provisions of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). To co-ordinate the reporting of these incidents nationally there is an online RIDDOR reporting system. Fatal and specified injuries can also be reported by telephone.

Once a notification is received, it is accessed from a secure website. This work involves administrative resource to filter, download, direct and redirect incidents. Once accepted a decision by a senior officer is made as to whether the matter requires further investigation using selection criteria. The investigation selection criteria are based on national guidance.

In some cases, incidents can have a considerable impact on planned work as there is a need to react immediately. For example, accidents involving a fatality, major and/or multiple injury and those likely to affect the public will require immediate response, including out of hours if necessary.

The following data from the last ten years gives some indication of the likely workload:

Year	12/13	13/14	14/15	15/16	16/17	17/18	19/20	20/21	21/22	22/23	23/24
No. of reported accidents	54	47	72	50	58	46	29	14	27	32	31
No. requiring investigation	14	9	15	6	2	1	4	0	4	0	5

NB. Investigations may take several months to complete and can span financial years.

3.3.4 Supporting Businesses & Others

In support of local economic development and growth, the Council considers that providing advice and support to business, especially new business start-ups, to help them to comply with the requirements of legislation, is one of our core activities.

For health and safety issues the Council has a policy of offering comprehensive and usefully tailored advice to any business for which we are, or are likely to become, the enforcing authority. Feedback from businesses indicates that they value this type of contact.

Advice will be available during the course of routine visits and interventions, through information publications such as leaflets and booklets and in response to queries. We also provide advice on event management through the Safety Advisory Group. We will signpost individuals/businesses to the Council and/or HSE website accordingly

Advisory visits, which are undertaken, are distinct from regulatory visits and are, made at the convenience of the business without recourse to the section 20 regulatory powers of entry provided by the Health and Safety at Work etc. Act 1974.

Our focus may be broader than specific health and safety outcomes as advice and support given can influence wider public health outcomes/health inequalities. In 2023/24, we worked with 41 new businesses.

3.3.5 Public Health Promotional/Campaign Work

During 2023-24, we did not carry out any public health promotional campaign work. We did however continue to do joint visits with the Council's licensing team/advisory visits to persons registering to undertake Acupuncture, Ear Piercing, Electrolysis & Tattooing.

3.3.6 Sampling

During 2023/24 water sampling was undertaken from 4 vessels visiting Hartlepool. These samples were taken upon request and were in relation to microbiological examination for the presence of *Legionella* and to assess water quality.

In addition, 11 Ship Sanitation Exemption Certificates were issued. In 2024-25, samples may again be taken from premises or vessels in response to health and safety concerns or as part of the Port Health function.

During 2024/25 we plan to participate in a local study looking at the hygiene in tattoo and cosmetic piercing premises ran by the York Food, Water and Environmental laboratory.

3.4 Complaints against our Staff

The Independent Regulatory Challenge Panel was set up to enable a business to challenge specific health and safety regulatory advice provided by HSE or Local Authority Inspectors, that they believe to be unreasonable or disproportionate. Before raising an issue with the panel, businesses are expected to have first tried to resolve the matter with the relevant inspector and their manager.

Anyone who is aggrieved by the actions of a member of staff is encouraged, in the first instance, to contact the employee's line manager. Details of how and who to make contact with are contained in the inspection report left at the time of an inspection.

Formal complaints are investigated in accordance with the Council's corporate complaint procedure.

3.5 Liaison Arrangements

The Council actively participates in local and regional activities and is represented on the following:

- Tees Valley Health and Safety Liaison Group;
- Tees Valley Public Protection Heads of Service Group;
- North East Public Protection Partnership;
- North of England Regulatory Liaison Group.

The Authority receives and takes cognisance of guidance from a number of bodies but principally the Health and Safety Executive, Local Authority Unit the Chartered Institute of Environmental Health.

The service acts as a Statutory Consultee for applications relating to Premises Licences made under the Licensing Act 2003 and are consultees for commercial planning applications.

3.6 Lead Authority Partnership Scheme (LAPS) / Primary Authority Scheme

It is the Council's policy to comply with HSE's mandatory guidance in respect of the Lead Authority Partnership Scheme (LAPS) and Primary Authority Scheme. In particular, the Council will contact the Lead/Primary Authority and liaise over:

- local intelligence (adverse defect or insurance reports etc.);
- issues arising in connection with inspection plans;
- any proposed formal enforcement action;
- service of Prohibition Notices;

- shortcomings in the companies policies that have wide implications; and
- death, major injury, work related ill health or dangerous occurrences reportable under the Reporting of injuries Diseases and Dangerous Occurrences Regulations.

This will help determine a proportionate and consistent response and ensure that any national implications can be considered.

In Hartlepool, there are currently no formal Primary Authority arrangements in place; however, we continue to work closely with local businesses on an informal basis. The level of resourcing will have to be reviewed if an opportunity to enter into a formal Primary Authority arrangement arises.

4. RESOURCES

4.1 Financial Resources

The annual budget for the Consumer Services section in the year 2024-25 is:

	£	000
Employees		693
Other Expenditure		59
Public Health Grant		(300)
Other Grant Funding		(34)
Income		(11)
Net Budget		407

This budget is for other services provided by this section including Food, Animal Health, Trading Standards and Licensing resources are allocated in accordance with service demands. The figures do not include the budget for administrative / support services which are now incorporated into the overall budget.

4.2 Staffing Allocation

Under Section 18 of the Health and Safety at Work etc. Act 1974 the Authority is required to set out their commitment, priorities and planned interventions; and put in place the capacity, management infrastructure, performance and information systems to deliver an effective service and comply with their statutory duties; operate systems to train, appoint, authorise, monitor and maintain a competent inspectorate.

The Executive Director of Development, Neighbourhoods and Regulatory Services has overall responsibility for the delivery of the health and safety service.

The Assistant Director (Regulatory Services), with the requisite qualifications and experience, has responsibility for ensuring the strategic delivery of the Council's Public Protection service, including delivery of the health and safety service, in accordance with the service plan.

The resources determined necessary to deliver the service in 2024/25 are as follows:

1 x 0.20 FTE Environmental Health Manager (Commercial) (with responsibility also for Food, Port Health, Feed Hygiene and Animal Health)

4 x 0.20 FTE EHO (with requisite qualifications and experience)*

1 x 0.10 FTE Part-time EHO

*One of these posts is currently vacant

These are considered to be the minimum resources required to deliver the commitments set out in this Plan and to comply with the S18 Standard.

The Assistant Director (Regulatory Services) has responsibility for strategic service delivery and management of the Health and Safety Service, in addition to other services and general management responsibilities as a member of the Development, Neighbourhood and Regulatory Services Management Team.

The Environmental Health Manager (Commercial Services) has responsibility for the operational service delivery and management of the Health and Safety Service, Food, Public Health, Water Quality and Animal Health and Welfare.

The EHOs are responsible for carrying out the health and safety premises intervention programme as well as the delivery of all other aspects of the health and safety service and will undertake complex investigations. In addition, these officers undertake food and other enforcement work.

The Public Protection Support Services team provides administrative support.

All staff engaged in health and safety law enforcement activity are suitably trained, qualified, and appropriately authorised in accordance with guidance and internal policy.

4.3 Staff Development

The Council is committed to the training and personal development of its employees. During the annual appraisal process the formal identification of the training needs of staff members is linked with the development needs of the service. Competence standards in respect of regulatory skills, knowledge and development needs are assessed.

It is a mandatory requirement for officers of the health and safety service to maintain their professional competency. This is achieved in a variety of ways including through attendance at accredited short courses, seminars or conferences, by vocational visits, directed reading and E learning.

Detailed records are maintained relating to all training received by officers.

4.4 Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the health and safety service.

The service has a computerised performance management system, Authority Public Protection (APP). This is capable of maintaining up to date accurate data relating to the activities of the health and safety service.

A documented database management procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the intervention programmes, the recording and tracking of all health and safety activities, the production of statutory returns and the effective management of performance.

5. QUALITY ASSESSMENT

The Council is committed to quality service provision. To support this commitment the health and safety service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the health and safety service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

The Environmental Health Manager (Commercial Services) will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

It is possible that the Health and Safety Executive will at any time notify the Council of their intention to carry out an audit of the service.

6 REVIEW OF HEALTH & SAFETY SERVICE PLAN

6.1 Review against the Service Plan

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan, a review has been conducted of performance against those targets established for the year 2023-24.

This service plan will be reviewed at the conclusion of 2024-25 and at any point during the year where significant legislative changes or other relevant factors occur during the year.

It is the responsibility of the Assistant Director (Regulatory Services) to carry out that review with the Executive Director of Neighbourhoods and Regulatory Services.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Any relevant amendments to the Council's Corporate Plan will be incorporated into the service plan.

Following any review leading to proposed revision of the service plan Member approval will be sought.

6.2 Performance Review 2032-2024

This section describes performance of the service in key areas.

6.2.1 Health & Safety Interventions

In total interventions were carried out at 274 premises. These were risk based and multiple priority topics were covered during some visits.

Below is a summary of the type of topics covered during the intervention visits:

- Asbestos Management
- Gas Safety in Commercial Kitchens
- Deliveries / Workplace Transport
- Cellar Safety
- Occupational Disease e.g. Dermatitis
- Managing Risks from Legionella
- Falls from Heights
- Violence at Work

In addition, officers made 3 revisits to monitor compliance with contraventions identified during planned interventions.

It appears that the COVID-19 pandemic and cost of living crisis is having an impact on standards. Periods of closure and financial pressures has resulted in some businesses failing to carry out essential maintenance / repairs, consequently there has been an increase in the number of contraventions found. We anticipate that this trend of reduction in standards is likely to continue until the economic climate improves.

During 2023/24, the Authority undertook 325 enforcement visits to assess compliance with smoke free legislation that came into force on 1st July 2007, a proportion of which were carried out in conjunction with health and safety inspections.

6.2.2 Promotional/Campaign Work

Routine promotional/campaign work did not take place in 2023-24.

6.2.3 Health and Safety Complaints & Requests for Service

During the year, the service carried out 24 visits in response to 24 complaints / service requests relating to health and safety conditions and working practice. The initial response to these requests have been undertaken all within our target of 2 working days.

Officers responded to all statutory consultations relating to applications made under the Licensing Act 2003.

6.2.4 Complaints against Our Staff

No complaints were made against our staff during 2023-24.

6.2.6 Accidents/Diseases/Dangerous Occurrences Investigations

The service received 31 accident notifications during the year. After applying selection criteria based on national guidance, 5 of these notifications were selected for further investigation.

6.2.7 Formal Enforcement Action

With regards enforcement action under Health and Safety at Work etc. Act 1974 and associated legislation no legal proceedings were undertaken during 2023/24.

7. KEY AREAS FOR IMPROVEMENT & CHALLENGES FOR 2024-25

In addition to committing the service to specific operational activities such as performance of the intervention programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2024-25.

1. The Public Protection section continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount. During 2024-25, we will target our resources effectively using a range of interventions, including providing advice to businesses with the aim of influencing behaviour and improving the management of health and safety risks. We will continue to explore how we can contribute to the Public Health Outcomes.
2. We will keep abreast of, and respond to, any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will review and update our Quality Management System/Standard Operating Procedures for Health & Safety as appropriate.

NEIGHBOURHOOD SERVICES COMMITTEE

2 SEPTEMBER 2024



Subject: FOOD LAW ENFORCEMENT SERVICE PLAN
2024-25

Report of: Assistant Director (Regulatory Services)

Decision Type: Non-Key

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people are enabled to live healthy, independent and prosperous lives.
- where people will be safe and protected from harm.
- that has an inclusive and growing economy.
- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

2.1 To approve the Food Law Enforcement Service Plan for 2024/25.

3. BACKGROUND

3.1 The Food Standards Agency (FSA) has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities as well as carry out audits of enforcement activities to ensure that authorities are providing an effective service to protect public health and safety.

3.2 On 4 October 2000, the Food Standards Agency issued the document "*Framework Agreement on Local Authority Food Law Enforcement*". The guidance provides information on how local authority enforcement service plans should be structured and what they should contain. Service Plans developed under this guidance will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.

- 3.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, while allowing for the inclusion of locally defined objectives.
- 3.4 The Food Law Enforcement Service Plan for 2024/2025 is available in **Appendix 1** and takes into account the guidance requirements. The Plan details the Service's priorities for 2024/25 and beyond where appropriate. It also highlights how these priorities will be addressed.

4. PROPOSALS/OPTIONS FOR CONSIDERATION

- 4.1 The Service Plan for 2024/25 has been updated to reflect last year's performance and reflect changes in Service demand.
- 4.2 The Plan covers the following:
- (i) Service Aims and Objectives;
 - (ii) The scope and demands on the Food Service;
 - (iii) Service delivery, including intervention programmes, service requests, complaints, advice, liaison and promotion;
 - (iv) Resources, including financial allocation, staff allocation and staff development; and
 - (v) A review of performance for 2023/24.

5. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

- 5.1 The Council is responsible for 776 food premises within the borough mostly comprising retailers, manufacturers and caterers. The food businesses are predominantly small to medium sized establishments and the majority of these are liable to food hygiene and food standards interventions.
- 5.2 The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current premises profiles (as at 1st April 2024) are included in the Service Plan.
- 5.3 The intervention programme for 2024/25 comprises scheduled food hygiene and food standards interventions and includes those low risk interventions overdue for inspection. This intervention programme is set out on in the Service Plan.
- 5.4 The Food Standards Agency has introduced a new Food Standards Delivery Model which will enable local authorities to focus their resources on premises presenting the greatest risk. Premises which present a lower risk will receive less frequent interventions. In the Food Law Code of Practice (published in

June 2023) the FSA has stated that there is an implementation period, however the Food Standards Delivery Model must be introduced by 31 March 2025. The FSA has been liaising with the various Management Information System (MIS) providers to agree a phased rollout programme. Our MIS provider (CIVICA APP) is due to implement the new system in Autumn 2024. The introduction of the new risk rating scheme will affect the intervention programme and officers will need to undergo training. Figures provided for programmed food standards interventions during 2024/25 were based on figures obtained on 1.4.24.

- 5.5 The Food Hygiene Rating System (FHRS) scheme was launched by the FSA as a FSA / local authority partnership initiative to help consumers choose where to eat out, or shop for food. It was developed with the aim that it would become the single national scheme for England, Wales and Northern Ireland.

The profile of Hartlepool's food premises is shown below:

Hygiene Rating	No @ 1.4.13	No @ 1.4.14	No @ 1.4.15	No @ 1.4.16	No @ 1.4.17	No @ 1.4.18	No @ 1.4.19	No @ 1.4.20	No @ 1.4.21	No @ 1.4.22	No @ 1.4.23	No @ 1.4.24
5 Very Good	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)	580 (82.9%)	596 (83.9%)	587 (73.2%)	688 (87.3%)	654 (85.9%)	647 (87.4%)
4 Good	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)	76 (10.9%)	77 (10.8%)	72 (9%)	64 (8.1%)	66 (8.7%)	57 (7.7%)
3 Generally Satisfactory	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)	38 (5.4%)	36 (5.1%)	32 (4%)	35 (4.4%)	32 (4.2%)	33 (4.5%)
2 Improvement Necessary	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)	3 (0.4%)	0 (0%)	0 (0%)	1 (0.1%)	4 (0.5%)	3 (0.4%)
1 Major Improvement Necessary	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)	3 (0.4%)	0 (0%)	0 (0%)	0 (0%)	5 (0.7%)	0 (0%)
0 Urgent Improvement Necessary	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Awaiting Inspection	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0.01%)	111 (13.8%)	0 (0%)	0 (0%)	0 (0%)
Sub Total	713	684	690	695	701	696	700	710	802	788	761	740
Exempt	49	45	44	45	42	42	37	39	39	39	28	27
Excluded	9	10	10	1	1	10	12	2	2	8	6	4
Sensitive	32	32	1	8	9	1	1	10	10	2	3	5
Total	803	771	745	749	753	749	750	761	853	837	798	776

- 5.6 Since the introduction of the FHRS national scheme in 2013, year on year, the profile of Hartlepool food businesses improved up until 2022. During 2022/23 98.8% of premises inspected received a hygiene rating of '3' ('Generally Satisfactory') and above. In 2023/24, there was a slight rise in the profile with the overall percentage rated '3' or above now up to 99.6%.

- 5.7 The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has liaised with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Where appropriate, enforcement action will be taken to secure compliance.
- 5.8 The fall in standards observed after the Covid-19 Pandemic and current cost of living crisis has increased the number of required multiple revisits / re-rating visits. It is anticipated that a higher level of revisits and enforcement will continue to be needed to be undertaken than in previous years.
- 5.9 Under the FHRS there is a procedure that affords food business operators the opportunity to request a re-visit inspection once they have taken action to rectify non-compliances identified during an inspection. In certain circumstances a charge can be levied. At the re-visit the establishment may be re-assessed and given a new hygiene rating.
- 5.10 During 2023/24, 16 businesses submitted applications for a re-rating and 13 of these were inspected prior to 1 April 2024. All demonstrated an improvement in standards and their rating increased following an unannounced inspection. Of these 7 businesses paid for an early inspection. As of 1 April 2024 three re-rating inspections were pending.
- 5.11 Service performance during 2023/24 is detailed in the Service Plan. Of note 392 food hygiene, 298 food standards and 5 feed hygiene interventions were completed. This included 17 premises rated as Category C which were overdue food standards inspections. By comparison in 2022/23 522 food hygiene interventions, 406 food standards and 5 feed hygiene interventions were completed. During this time the vacant post was filled with a temporary resource to assist in completing the FSA recovery plan.
- 5.12 The Council has continued to respond to complaints in the usual manner. The service dealt with 51 complaints relating to the condition of food premises and / or food handling practice, which was up from 45 the previous year.
- 5.13 In addition, 33 complaints were received regarding unfit or out of condition food or extraneous matter (this was down from 72). A further 10 complaints concerning the composition or labelling of food items were received (this was an increase on 7 the previous year). No complaints were received regarding animal feeding stuffs. Investigations into all complaints were undertaken within our target of 2 working days.
- 5.14 No formal enforcement was undertaken in relation to official food controls during the year.
- 5.15 During 2023/24 the service participated in six microbiological surveys and took 215 hygiene samples. The majority of hygiene samples examined were reported as being satisfactory, however where poor results were obtained the premises were revisited and provided with advice and resampled as necessary.

- 5.16 A further eight food standards samples were taken during 2023/24. The department repeated a local compositional survey, which looked to assess the unintentional presence of milk proteins in 'Dairy Free Lattes' from local independent cafes, which had returned poor results.
- 5.17 Poor results were again obtained from 5 out of 8 premises. Follow up visits were made to all the premises to discuss the results and to provide advice, which included staff training. The five unsatisfactory samples were obtained from premises that had been previously sampled the year before. While the results were much improved all still contained traces that could induce an allergenic reaction. A written warning was given to all the premises whose drinks the Public Analyst deemed were unsatisfactory. A further revisit was made to all five unsatisfactory premises after the sampling had been completed and it was confirmed that all premises had acted upon the advice that they had received. All now inform customers that they are unable to guarantee that drinks served from the premises are free from dairy.
- 5.18 Water obtained from a private supply and used for manufacturing purposes was also sampled and all results were satisfactory. As part of the service's Port Health functions potable water was examined from 4 vessels visiting Hartlepool, 11 Ship Sanitation Exemption Certificates were also issued.
- 5.19 No promotional / campaign work was carried out during 2023/24, however, whenever possible activities that support the Public Health Agenda will take place in 2024/25.
- 5.20 The Public Protection Section continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount. During 2024/25 we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviour and improving the management of food safety risks which will have impact on wider public health outcomes. We will continue to explore how we can contribute to Public Health Outcomes and source funding streams to support our work.
- 5.21 The FSA recovery plan completed post-pandemic, during 2021 – 2023, prioritised inspections of premises presenting the highest risk. During 2023/24 many low risk interventions which were overdue were carried out. At this time an additional resource was available to assist with this recovery work. The profile of our premises is such that many of our inspections will be due again within a similar period of time (i.e. within the next 18-24 months). To offset the burden being placed on the next financial year's inspection programme during 2023-24 we brought forward some of these inspections and incorporated them into the intervention programme. We will continue to do this as far as possible during 2024/25.
- 5.22 We will need to keep abreast of, and respond to, any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the

regulatory framework. We will continue to review and update our Food and Feed Quality Management System and Standard Operating Procedures to reflect the changes.

- 5.23 We will implement the new Food Standards Delivery Programme before the end of the transition period (31 March 2025) and ensure that all relevant staff receive appropriate training.

6. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	If the Food Law Enforcement Law Service Plan 2024/25 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.
FINANCIAL CONSIDERATIONS	No relevant issues
SUSIDY CONTROL	No relevant issues
LEGAL CONSIDERATIONS	If the Food Law Enforcement Law Service Plan 2024/25 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.
CHILD AND FAMILY POVERTY	No relevant issues
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues
STAFF CONSIDERATIONS	No relevant issues
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues
CONSULTATION	No relevant issues

7. RECOMMENDATIONS

- 7.1 That the Neighbourhood Services Committee approves the Food Law Enforcement Service Plan for 2024/25.

8. REASONS FOR RECOMMENDATIONS

- 8.1 The Food Law Enforcement Service Plan 2024/25 needs to be adopted to comply with the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

9. BACKGROUND PAPERS

- 9.1 There are no background papers for this report.

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Sign Off:-

Managing Director	Date: 12/08/2024
Director of Finance, IT and Digital	Date: 09/08/2024
Director of Legal, Governance and HR	Date: 15/07/2024



Hartlepool Borough Council

Food Law Enforcement Service Plan 2024/25

FOOD SERVICE PLAN 2024/25

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INTRODUCTION

This Service Plan details how Hartlepool Borough Council will deliver the food law service. The food law service covers both food and feed enforcement.

The Plan accords with the requirements of the Framework Agreement on Local Authority Food Law Enforcement, and sets out the Council's aims in respect of its food law service and the means by which those aims are to be fulfilled. Whilst focussing primarily on the year 2024/25, longer-term objectives are identified where relevant. Additionally, there is a review of performance for 2023/24 and this aims to inform decisions about how best to build on past successes and address performance gaps.

The Plan is reviewed annually and the Neighbourhood Services Committee has approved previous plans.

1 AIMS AND OBJECTIVES

1.1 Hartlepool Borough Council aims to:

- carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources;
- supplement our enforcement role by providing targeted education and advice;
- encourage innovation through actively seeking out best practice and working in partnership with other agencies;
- actively contribute towards achieving nationally agreed strategic aims and objectives; and
- ensure our actions are consistent, proportionate and targeted and that we are transparent and open about what we do.

The service aims to ensure:

- that food and drink intended for human consumption which is produced, stored, distributed, handled or consumed in the borough is without risk to the health or safety of the consumer;
- food and food packaging meets standards of quality, composition and labelling and reputable food businesses are not prejudiced by unfair competition; and
- the effective delivery of its food law service so as to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

In its delivery of the service the Council will have regard to directions and examples of best practice as disseminated by the Food Standards Agency (FSA), including Approved Codes of Practice, the Regulators' Code and other relevant guidance shared by Local Government Regulation and Central Government.

1.2 Links to Corporate Objectives and Plans

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool Council's Plan 2021/22 - 2023/24
- Hartlepool's Community Strategy – the Local Strategic Partnerships (the Safer Hartlepool Partnership) and the Health and Well Being Board
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Public Protection service's contribution to corporate objectives.

1.2.1 Overall Aim / Vision

The Council's vision is that:

Hartlepool will be a place...

- ***where people are enabled to live healthy, independent and prosperous lives;***
- ***where people will be safe and protected from harm;***
- ***of resilient and resourceful communities with opportunities for all;***
- ***that is connected, sustainable, clean and green;***
- ***that has an inclusive and growing economy;***
- ***with a Council that is ambitious, fit for purpose and reflects the diversity of its community.***

To contribute to the Council's overall vision, through this Food Law Enforcement Service Plan, the team has made a commitment to protecting and improving the quality of life for residents of Hartlepool through effective promotion and enforcement of food hygiene and safety legislation.

This Food Law Enforcement Service Plan contributes towards elements of the Council Plan vision in the following ways:

...where people are enabled to live healthy, independent and prosperous lives

Through the effective delivery of its food law service, we aim to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

...where people will be safe and protected from harm.

By ensuring that businesses only provide safe products that comply with relevant food safety standards.

...that has an inclusive and growing economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to food hygiene and safety requirements, and avoid potential costly action at a later stage.

...with a Council that is ambitious, fit for purpose and reflects the diversity of its community

By developing ways of communicating well with all customers, including business operators whose first language is not English, and ensuring that we deliver our service equitably to all.

To contribute towards the key outcomes of improving the efficiency and effectiveness of the organisation and to deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction.

The Council is committed to the principles of equality and diversity. The Food Law Enforcement Service Plan consequently aims to ensure that the same high standards of service are offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 92,571 (Mid-Year Estimate 2021, ONS) of which 3.5 % are Black, Asian and minority ethnic (BAME) communities. (Census 2021).

Hartlepool is a unitary authority, providing a full range of services. To the south of Hartlepool is the wider Teesside conurbation which includes the boroughs of Middlesbrough, Stockton on Tees and Redcar and Cleveland, and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.

The borough has a long and proud history, with the original settlement of Hartlepool dating back to Saxon times. Originally, an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201.

The main phase of Hartlepool's expansion took place from the mid-19th Century with the building of a new railway and docks to serve the export of coal. The town continued to expand over the next 100 years as port trade increased and the development of heavy industries including steel making, shipbuilding and manufacturing. Like most industrialised towns in the north of England, Hartlepool has suffered over the last half century from structural

reform of these industries and the town has had to look for new opportunities to diversify the economy.

Over the past 20-25 years, Hartlepool has experienced some transformational changes through public and private investment. This has included the transformation of the former South Docks area into a fabulous 500-berth marina where the town hosted The Tall Ships Race in 2010. In July 2023, Hartlepool once again was a host port for the race.

The tourist industry affects recreational opportunities, shopping and leisure facilities, including the provision of food and drink outlets restaurants, bars and cafes. There are currently 776 food establishments in Hartlepool, all of which must be subject to intervention to ensure food safety and standards are being met.

2.2 Organisational Structure

Under the Council's governance arrangements, most day-to-day decisions are taken by five Policy Committees. These Policy Committees cover the following main service areas: -

- Finance and Policy Committee
- Adult & Community Based Services Committee
- Children's Services Committee
- Neighbourhood Services Committee
- Economic Growth and Regeneration Committee

The Neighbourhood Services Committee provides political oversight for Food Law enforcement.

The Council is made up of four Departments:

- Children's & Joint Commissioning Services
- Adults & Community Based Services
- Development, Neighbourhoods & Regulatory Services
- Legal, Governance and HR

The Food Law Enforcement Service Plan is delivered through the Public Protection section of the Regulatory Services division, which is contained within the Development, Neighbourhoods & Regulatory Services Department.

2.3 Scope of the Food Service

The Council's Commercial Services team is a constituent part of the Public Protection Division contained within the Development, Neighbourhoods & Regulatory Services Department and is responsible for delivery of the food service. The food service covers both food and feed enforcement.

Service delivery broadly comprises:

- programmed interventions of premises for food hygiene, food standards and feed hygiene;
- registration and approval of premises;
- microbiological sampling and chemical analysis of food and animal feed;
- food & feed inspection;
- checks of imported food/feed at retail and catering premises;
- provision of advice, educational materials and courses to food/feed businesses;
- investigation of food and feed related complaints;
- investigation of cases of food and water borne infectious disease, and outbreak control;
- dealing with food/feed safety incidents; and
- promotional and advisory work

Effective performance of the food law service necessitates a range of joint working arrangements with other local authorities and agencies such as the Food Standards Agency (FSA), UK Health Security Agency (UKHSA), HM Revenue & Customs (HMRC), Department of Environment, Food & Rural Affairs (Defra), Animal & Plant Health Agency (APHA) & the Veterinary Medicines Directorate (VMD).

The Council aims to ensure that effective joint working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

The service is also responsible for the following:

- health and safety enforcement;
- the provision of guidance, advice and enforcement in respect of smoke free legislation in public places;
- the provision of guidance, advice and taking enforcement action in response to certain public health legislation;
- water sampling; including both private and mains supplies & bathing water;
- port health;
- provision of assistance for animal health and welfare inspections, complaint investigation and animal movement issues; and
- acting as a statutory consultee for applications made under the Licensing Act 2003

2.4 Demands on the Food Service

The Council is responsible for 776 food premises within the borough mostly comprising retailers, manufacturers and caterers. The food businesses are predominantly small to medium sized establishments and the majority of these are liable to food hygiene and food standards interventions.

In addition, the Council is the enforcing authority for 92 registered feed businesses.

The delivery point for the food enforcement service is at:

Civic Centre, Victoria Road, Hartlepool TS24 8AY
Tel: (01429) 266522

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies that occur out of hours. Contact can be made on (01429) 266522, Option 1, followed by Option 2.

2.5 Enforcement Policy

Hartlepool Borough Council adopted its current Enforcement Policy in 2021. Supplementary to this, there is a Public Protection Enforcement Policy, which deals with those enforcement issues specific, or unique, to the service.

The Commercial Services team, which is responsible for food and feed law enforcement, will take account of the 2014 Regulator's Code when carrying out its interactions with food business operators.

3 SERVICE DELIVERY

3.1.1 Interventions Programme

The Council has a wide range of duties and powers conferred on it in relation to food law enforcement. The Council must appoint and authorise inspectors, having suitable qualifications and competencies for carrying out duties under the Food Safety Act 1990 and Regulations made under it.

Authorised officers can inspect food at any stage of the production, manufacturing, distribution and retail chain. The Council must draw up and implement an annual programme of risk-based interventions to ensure that food and feeding stuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

The Code allows local authorities to choose the most appropriate action to be taken to drive up levels of compliance with food law by food establishments. In so doing, it takes account of the recommendations in the 'Reducing Administrative Burdens: Effective Inspection and Enforcement'.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include:

- Inspections / Audit;
- Surveillance / Verification;
- Sampling;
- Education, advice and coaching provided at a food establishment; and
- Information and intelligence gathering.

Other activities that monitor, promote and drive up compliance with food law in food establishments, for instance 'Alternative Enforcement Strategies' for low risk establishments and education and advisory work with businesses away from the premises (e.g. seminars/training events) remain available for local authorities to use.

3.1.2 Broadly Compliant Food Establishments

The Code established the concept of 'Broadly Compliant' food establishments. In respect of food hygiene, "broadly compliant", is defined as an establishment that has an intervention rating score of not more than 10 points under each of the following components:

- Level of (Current) Hygiene Compliance;
- Level of (Current) Structural Compliance; and
- Confidence in Management/Control Systems

"Broadly Compliant", in respect of food standards, is defined as an establishment that has an intervention rating score of not more than 10 points under the following:

- Level of (Current) Compliance
- Confidence in Management/Control Systems

As at the 1st April 2024, 99.6% of businesses in the borough were "Broadly Compliant" with food safety requirements. For food standards 97.9% of businesses achieved broad compliance.

The Food Law Enforcement Plan will help to promote efficient and effective approaches to regulatory inspection and enforcement that will improve regulatory outcomes without imposing unnecessary burdens. The term enforcement does not only refer to formal actions, it can also relate to advisory visits and inspections.

3.2 Service Delivery Mechanisms

3.2.1 Intervention Programme

Local Authorities must document, maintain and implement an interventions programme, which includes all establishments for which they have food law enforcement responsibility.

Interventions carried out for food hygiene, food standards and for feeding stuffs are carried out in accordance with the Council's policy and standard operating procedures on food/feed premises inspections and relevant national guidance.

Information on premises liable to interventions is held on the APP computerised system. An intervention schedule is produced from this system at the commencement of each reporting year.

The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current premises profiles (as at 1 April 2024) are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	0
B	12 months	10
C	18 months	81
D	24 months	367
E	36 months or other enforcement	318
Unclassified	Requiring inspection / risk rating	0
No Inspectable Risk (NIR)		0
Total		776

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	1
B	24 months	126
C	36 months or other enforcement	649
Unclassified		0
No Inspectable Risk (NIR)		0
Total		776

*The FSA is currently in the process of implementing a new delivery model for Food Standards to make the system more risk based. This will impact the profile of premises. Further details are provided below.

Feed Hygiene:

Registered Activity	No of Premises
R5 Distributor	1
R6 Pet Food Manufacturer	2
R7 Supplier of Surplus Food	9
R8 Transporter	3
R9 Stores	1
R10/11 On Farm Mixer	12
R12 Co Product Producer	2
R13 Livestock Farm	38
R14 Arable Farm	24
Total	92

The intervention programme for 2024/25 comprises the following number of scheduled food hygiene and food standards interventions (this includes the 17 low-risk (Category C) food standards interventions that were overdue for 2023/24

Food Hygiene:

Risk Category	Frequency of Inspection	No of Interventions
A	6 months	0
B	12 months	10
C	18 months	48
D	24 months	204
E	36 months or alternative enforcement strategy	41
Unclassified		0
Unrated		0
Total		303

Food Standards:

Risk Category	Frequency of Inspection	No of Interventions
A	12 months	1*
B	24 months	66*
C	36 months or alternative enforcement	76*
Unrated		0*
Unclassified		0*
Total		143*

In addition to the above scheduled inspections, officers will carry out interventions at newly registered premises. Officers will also carry out interventions at some mobile food traders, including those visiting the borough in connection with events.

*New Food Standards Delivery Model

The FSA has developed a new model for the delivery of food standards official controls for LAs. The main proposals involve fundamental changes which are contained within the Food Law Code of Practice (England), which was issued in June 2023, and associated content. The changes include the introduction of a:

- new food standards intervention rating scheme that LA officers will use to evaluate the risk posed by a food business
- new decision matrix to determine the frequency at which food standards official controls should be delivered in line with the outcome of the risk assessment

The food standards intervention rating scheme involves the calculation of a risk profile for food establishments that is based on its 'inherent risk profile' – this considers the inherent risks associated with the business, such as the scale of supply and the potential for product harm and a 'compliance assessment', which considers the FBO's performance and track record.

The new model enables LAs to focus their resources on those businesses creating the greatest risk.

Transitional arrangements apply until 31 March 2025 to enable a phased rollout of the programme. During the transitional period the FSA have engaged with Management Information Providers to agree the programme's implementation. It is planned that our MIS provider (CIVICA APP) will implement the new delivery programme in Autumn 2024. This will affect our food standard intervention programme as fewer inspections will be due an intervention during 2024-25. Figures provided are based on the profile as at 1.4.2024.

Approved Establishments:

There are 3 approved food establishments in the borough; a fishery products establishment, a manufacturer of food ingredients and a recently approved retail establishment that also supplies meat to other businesses. These premises are subject to more stringent hygiene provisions than those applied to registered food businesses. These premises require considerably more staff resources for inspection, supervision and advice on meeting enhanced standards.

Primary Producers:

The service has 73 primary producers. Inspections are combined with visits to farms for animal welfare and/or feed legislation as far as possible.

Feed Hygiene Intervention Programme 2024/25:

The National Trading Standards Board (NTSB) is responsible for the co-ordination of grant funding allocations for the FSA Feed Delivery Programme. A regional lead feed co-ordinator has been appointed. As a member of the NETSA (North East Trading Standards Association) group Hartlepool Council will receive funding to meet the costs of the following feed inspections:

Feed Hygiene:

Activity	No of Interventions
Distributor (R05)	0
Pet Food Manufacturer (R06)	0
Feed/Materials / Ingredients/Surplus Food (R07)	1
Transporter (R08)	1
Stores (R09)	0
On-farm Mixer (R10/ R11)	0
Co-Product Producer (R12)	0
Livestock Farms (R13)	1
Arable Farms (R14)	1
Total	4

Visits outside of standard hours

An estimated 10% of all programmed interventions relate to premises where it is more appropriate to conduct visits outside the standard working time hours. Arrangements are in place to visit these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises, which open outside of, as well as during standard work time hours. The Food Law Code of Practice requires inspections of these premises at varying times of operation.

Revisits

As a follow-up to primary inspections, the service undertakes revisits in accordance with current policy. For the year 2024/25, the intervention programme is expected to generate an estimated 75 revisits. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place as described above to facilitate this.

Hygiene standards in premises declined during the Covid-19 pandemic and recovery period. The cost of living crisis further exacerbated this situation. Consequently, the service has had to carry out more revisits to premises. It is anticipated that consistent, high quality programmed interventions by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

The performance against intervention targets for all food hygiene and food standards inspections is reported annually to the Neighbourhood Services Committee via the Service Plan.

EU Exit

The UK exited the EU on 31 January 2020 and was in a transition period until 31 December 2020. The UK Government reached an agreement with the EU as to the relationship beyond the end of the transition period.

The European Communities Act 1972 gave legal authority for EU law to have effect as national law in the UK. The EU Withdrawal Act 2018 repealed the Act, however parts of it were kept in force by the Withdrawal Agreement Act 2020, which transferred EU regulation and law onto the UK statute book. The Retained EU Law (Revocation and Reform) Act 2023 enables the UK to revoke and replace certain retained EU law (REUL).

The body of domestic law derived from EU obligations and established by the European Union (Withdrawal) Act 2018 as retained law is from 2024 known as 'assimilated law.'

Port Health

Hartlepool is a Port Health Authority. To date there has been no significant changes at the Port because of EU exit in that it remains the case that no food or feed enters the port.

Work in relation to imported food control can therefore ordinarily be accommodated within the day-to-day workload of the service, however if circumstances were to change whereby food or feed was imported/exported additional resources would be required which would have an effect on the programmed intervention workload and other service demands.

Since 1st April 2022 and on request we have carried out ship sanitation inspections and certification. We will also undertake water sampling as required. During 2023/4, 11 ship sanitation inspections were undertaken and exemption certificates issued. Water samples were collected from 4 vessels and these were submitted for microbiological examination and / or testing for the presence of Legionella bacteria.

Fish Quay

There is a Fish Quay within the Authority's area, which provides a market hall although it is not currently operational and there are associated fish processing units, one of which is an approved establishment.

During 2023/24, 25 fishing vessels registered with Hartlepool Borough Council as food business establishments. All fishing vessels were inspected in accordance with directions issued by the Food Standards Agency.

3.2.2 Registration and Approval of Premises

Food and feed business operators must register their establishments with the relevant local authority. This provision allows the service to maintain an up-to-date premises database and facilitates the timely inspection of new premises and, when considered necessary, premises that have changed food/feed business operator or type of use.

The receipt of a food/feed premises registration form initiates an inspection of all new premises. In the case of existing premises, where a change of food/feed business operator is notified, other than at the time of a programmed intervention, an assessment is made of the need for inspection based on the date of the next programmed intervention, premises history, and whether any significant change in the type of business are being notified.

During 2023/24, 111 new registrations were received and all businesses received face-to-face visits and/or were provided with advice. During 2023/24, work is being undertaken to ensure that all food business registration forms are up to date. It is anticipated that approximately 100 additional food premises inspections will be generated for new food businesses during 2024/25.

A competent authority must with some exceptions, approve food business establishments that handle food of animal origin. If an establishment needs approval, it does not need to be registered as well.

Food premises which require approval include those that are producing any, or any combination of the following: minced meat, meat preparations, mechanically separated meat, meat products, live bivalve molluscs, fishery products, raw milk (other than raw cows' milk), dairy products, eggs (not primary production) and egg products, frogs legs and snails, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and collagen and certain cold stores and wholesale markets.

The approval regime necessitates full compliance with the relevant requirements of Regulation (EC) No 852/2004 and Regulation (EC) 853/2004. There are 3 premises in the Borough which are subject to approval; a fishery products establishment, a manufacturer of food ingredients and a recently approved business that supplies meat to other business. This latter business also has a retail element to it.

Since 1 January 2006, feed businesses have been required to be approved or registered with their local authority under the terms of the EC Feed Hygiene Regulation (183/2005). This legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses now require approval or registration. Livestock and arable farms growing and selling crops for feed are also within the scope of the provisions of the regulation.

3.2.3 Microbiological and Chemical Analysis of Food/Feed

An annual food/feed sampling programme is undertaken with samples being procured for the purposes of microbiological or chemical analyses. This programme is undertaken in accordance with the service's Food/Feed Sampling Policy.

All officers taking formal samples must follow the guidance contained in and be qualified in accordance with relevant legislative requirements and centrally issued guidance, including that contained in the Food Law Code of Practice/Feed Law Code of Practice and associated Practice Guidance. Follow-up action is carried out in accordance with the service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the UK Health Security Agency (UKHSA) Food, Water & Environmental Laboratory based at York. An appointed Public / Agricultural Analyst undertakes chemical analysis.

Sampling allocations from UKHSA are based on a credits system dependant on the type of sample being submitted and examination required.

The allocation for Hartlepool is 8,300 credits for the year 2023/24. Points are allocated as follows:

Sample type	No of credits
F1:Food Screen	10
F2:Food Basic	25
F3:Food Complex	35
W1:Water Screen	10
W2:Water Basic	20
W3:Water Complex	25
M1:Dairy Products	10
E1:Environmental Screen	10
E2:Environmental Basic	25
E3:Environmental Complex	35
Certification	15

It is possible that the allocation will be reduced if an authority uses less than 80% of its allocation. In the event of over-performance, UKHSA will raise an invoice in April of the following year for payment of the cost of the workload over and above the agreed baseline allocation.

A sampling programme is produced each year for the start of April to assess the microbiological quality of food, water and environmental surfaces and composition and labelling of food.

The results of the sampling programme carried out during 2023/24 are provided in **6.2.3**.

In addition to local intelligence, the sampling programme for 2024/25 will take account of national and regional surveys and local interventions and the availability of local resources.

Sampling programmes have been agreed with the Food Examiners and Public/Agricultural Analysts. These have regard to the nature of food/feed businesses in Hartlepool and will focus on locally manufactured/processed foods/feed and food/feed targeted because of previous sampling and complaints.

The service aims to meet a national target set in 2007 by the Food Standards Agency, the Local Authorities Coordinators of Regulatory Services (LACORS) and the Association of Port Health Authorities that imported food should make up 10% of the food samples taken by local and port health authorities.

The sampling plans for 2024/25 are detailed below.

Microbiological Food Sampling Plan 2024/25

April Local Survey – swabs in catering premises	May Local Survey – swabs in catering premises	June Study 81 – Tattoo/Piercing Study 80 - cheese
July Study 81 – Tattoo/Piercing Study 80 - cheese	August Local Imported Food Survey – spices and savoury snacks	September Study 81 – Tattoo/Piercing
October Study 81 – Tattoo/Piercing	November Study 81 – Tattoo/Piercing	December Local Imported Food Survey – dried fruit and nuts
January Local Survey – swabs in catering premises	February Local Survey – swabs in catering premises	March Raw milk sampling

Food Standards Sampling Plan 2024/25

Survey	Number of Samples
Allergens (peanuts) in meals from restaurants and takeaways	10
FSA Imported Food Sampling Programme*	15
Ad hoc samples arising from emerging priorities identified during the year	tbc

(*Hartlepool was successful in its bid to sample certain imported food commodities as part of the FSA's national food sampling programme.)

Feeding Stuffs Sampling Plan 2024/25

At present feeding stuffs sampling is being given a low priority due to the lack of local manufacturers and packers, accordingly no sampling of animal feeding stuffs is planned during 2024/25, however we will respond to any emerging national or local issues.

Regional funding provided by the National Trading Standards Board and Food Standards Agency will supplement our sampling budget.

Private Water Supplies

A local brewery uses a private water supply in its food production. Regular sampling is carried out of this supply in accordance with relevant legislative regulations.

3.2.4 Food Inspection

The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption, and is properly described and labelled. As such, the activity of inspecting food commodities, including imported food where relevant, forms an integral part of the food premises intervention programme. Food inspection activities are undertaken in accordance with national guidelines.

3.2.5 Provision of Advice and Information to Food/Feed Businesses

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and tailored advice on legislative requirements and good practice. Officers are mindful of this and aim to ensure that when undertaking premises interventions sufficient opportunity exists for food business operators to seek advice.

When providing advice to food businesses, advisory leaflets including those produced by the Food Standards Agency, are made available. Significant resources have been directed towards assisting businesses to fully implement a documented food safety management system, including Safer Food Better Business (SFBB). The FSA introduced this system to assist smaller catering businesses introduce a documented food safety management system.

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. The service also encourages new food/feed business operators and existing businesses to seek guidance and advice on their business. It is estimated that 50 such advisory visits will be carried out during the year.

The Council operates the national Food Hygiene Rating Scheme whereby each business is awarded a rating, which reflects the hygiene conditions found at the time of the primary inspection. The business' rating is made available to the public via the Food Standards Agency's website and the business is provided with a sticker to display on their premises. The service has made a commitment to work with businesses to improve their rating; in particular, those awarded a rating of less than '3' (generally satisfactory).

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work. Feeding stuffs advice is available via the Council's web site.

3.2.7 Public Health Initiatives

Wherever possible the service will contribute to the Public Health Framework Outcomes. Examples of initiatives that we have supported include:

1) Government Obesity Strategy

We have supported the Government's Obesity Strategy through awareness raising and enforcement of new legislation that was introduced in 2022 relating to food and drink high in fat, salt or sugar.

New legislation includes The Calorie Labelling (Out of Home Sector) (England) Regulations 2021 and The Food (Promotion and Placement) (England) Regulations 2021. (The latter legislation is intended to restrict retailer promotions on food and drink high in fat, salt or sugar.)

Research has shown that fast food takeaways provide a source of food that is high in fat, salt or sugar. We will continue to work with other regulators, including colleagues in the Planning team to encourage good practice within the takeaway sector. We will support the use of planning measures to restrict the proliferation of hot food takeaways in areas of over concentration, and where vulnerable groups of children and young people are a concern.

All relevant hot food takeaways in Hartlepool have been identified and mapped. The density of local and future provision of takeaways is addressed in the Council's Local Plan.

2) Allergy Awareness

We will continue to use a range of interventions including sampling, provision of information and advice and working in partnership with colleagues in the other North East local authorities as part of a regional group to raise awareness regarding allergens. We will continue to raise awareness of changes in food labelling legislation relating to foods that are pre-packed for direct sale.

As part of the Regional Work Programme, we have along with the other North East local authorities produced a range of video clips to raise awareness of allergies and duties placed on food business operators. These videos were promoted during contact with food businesses and by using social media. We also aim to introduce a single point of contact for people seeking to report allergen related incidents which will then be referred to the relevant local authority for investigation.

3.2.8 Investigation of Food / Feed Complaints

The service receives on average 40 complaints each year concerning food/feed, all of which are subject to investigation. During 2023/24, 33 complaints were received concerning food. An initial response is made to these complaints within two working days. Whilst many complaints are

investigated with minimal resource requirements, some more complex cases may be resource-intensive and potentially affect programmed intervention workloads.

All investigations are conducted having regard to the guidance on the 'Home Authority Principle'.

The procedures for receipt and investigation of food/feed complaints are set out in detailed guidance and internal policy documents.

3.2.9 Investigation of Cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the UK Health Security Agency (UKHSA) North East Public Health Team and in the case of outbreaks in accordance with the Outbreak Control Policy.

Where it appears that an outbreak exists the Environmental Health Manager (Commercial Services) or an EHO, will liaise with UKHSA North East Health Protection Team to determine the need to convene an Outbreak Control Team.

Further liaison may be necessary with agencies such as the Food Standards Agency, the UKHSA Food, Water and Environmental Laboratory, Public Analyst, Anglian Water and Northumbrian Water.

It is estimated that between 150-175 food poisoning notifications are received each year, a large proportion of which are confirmed cases of *Campylobacter*.

As relatively little benefit has been demonstrated from the investigation of individual sporadic cases of *Campylobacter* only those who are food handlers or live/work in a residential care home are routinely investigated.

Any cluster or outbreak identified by UKHSA North East Public Health Team or Environmental Health will be investigated following the agreed outbreak investigation arrangements. In the event of any major food poisoning outbreak, a significant burden is likely to be placed on the service and this would inevitably affect the performance of the intervention programme.

3.2.10 Dealing with Food / Feed Safety Incidents

A national alert system exists for the rapid dissemination of information about food and feed hazards and product recalls, this is known as the food/feed alert warning system.

All food and feed alerts received by the service are dealt with in accordance with national guidance and internal quality procedures. Food and feed alert warnings are received by the service from The Food Standards Agency via an electronic mail system. Several officers have also subscribed to receive alerts via their personal mobile phones.

The Environmental Health Manager (Commercial Services) ensures that a timely and appropriate response is made to each alert.

The out of hours contact telephone number for the service is (01429) 266522, then Option 1, then Option 2.

In the event of a serious local incident, or a wider food safety problem emanating from production in Hartlepool, the Food Standards Agency will be alerted in accordance with guidance.

We continue to receive food alerts for action or information, food allergy alerts and food recall notices throughout the year. Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise, it is estimated that the service is likely to be notified of approximately 100 food alerts, product recalls or withdrawals during 2024/25, a small proportion of which will require action to be taken by the Authority. In addition, we will receive approximately 100 allergy alerts.

This level of work can ordinarily be accommodated within the day-to-day workload of the service, but incidents that are more serious may require additional resources, which may have an effect on the programmed intervention workload and other service demands.

3.2.11 Complaints relating to Food / Feed Premises

The service investigates all complaints that it receives about food/feed safety and food standards conditions and practices in food/feed businesses. An initial response to any complaint is made within two working days. In such cases, the confidentiality of the complainant is paramount. All anonymous complaints are also currently investigated.

During 2023/24, 51 complaints about hygiene standards in food premises were received (this can be compared to 45 received in 2022/23). All were investigated within our 2 day response time.

The purpose of investigation is to determine the validity of the complaint and, where appropriate, to seek to ensure that any deficiency is properly addressed. The general approach is to assist the food/feed business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failure in the management of food/feed safety, or regulatory non-compliance.

Based on the average number of complaints received during previous years it is estimated that approximately 60 such complaints will be received in 2024/25.

3.3 Complaints against Our Staff/Service

Anyone who is aggrieved by the actions of a member of staff is encouraged, in the first instance, to contact the employee's line manager.

Details of how and who to make contact with are contained in the inspection report left at the time of an inspection.

Formal complaints are investigated in accordance with the Council's corporate complaint procedure.

3.4 Liaison Arrangements

The service actively participates in local and regional activities and is represented on the following:

- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- UKHSA/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Public Protection Partnership
- North East Trading Standards Liaison Group, which incorporates the North East Trading Standards Animal Feed Group (NETSA).

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, UKHSA, Defra / Animal & Plant Health Agency (APHA), OFSTED and the Care Quality Commission (CQC).

Officers also work in liaison with other Council departments including the Planning Services and Licensing teams.

3.5 Home Authority Principle / Primary Authority Scheme

The introduction of the Primary Authority Scheme in April 2009 under the provisions of the Regulatory Enforcement and Sanctions Act 2008 placed a statutory obligation on the Council to provide a significantly expanded range of Home Authority services to local businesses when requested by that business. There are opportunities for local authorities to recover costs from businesses to provide this premium service.

It is the Council's policy to comply with the Local Better Regulation Office's Primary Authority Scheme.

In particular, the Council will contact the Primary Authority and liaise over:

- any proposed formal enforcement action
- service of Notices
- shortcomings in the companies policies that have wider implications

In Hartlepool, there are currently no formal Primary Authority arrangements in place with a Hartlepool based trader however; the service works closely with some local businesses on an informal basis.

The level of resourcing will have to be reviewed if an opportunity to enter into a formal Primary Authority arrangement arises.

4 RESOURCES

4.1 Financial Resources

The annual budget for the Consumer Services section in the year 2024/25 is:

	£	000
Employees		693
Other Expenditure		59
Public Health Grant		(300)
Other Grant Funding		(34)
Income		(11)
Net Budget		407

This budget is for all services provided by this section including Health & Safety, Animal Health, Trading Standards and resources are allocated in accordance with service demands.

4.2 Staffing Allocation

The Executive Director of Development, Neighbourhoods and Regulatory Services has overall responsibility for ensuring the delivery of the Council's Public Protection service, including delivery of the food/feed law service, in accordance with the service plan.

The Assistant Director (Regulatory Services), with the requisite qualifications and experience, has responsibility for the strategic management of the Food Service.

The resources determined necessary to deliver the food service in 2023/24 are as follows:

Food Hygiene

1 x 0.5 FTE Environmental Health Manager (Commercial Services) (with responsibility also for Port Health, Health and Animal Health and Welfare)

4 x 0.5 FTE EHO* (with requisite qualifications and experience and with responsibility also for Health & Safety)

**One of these posts is currently vacant*

1 x 0.3 FTE Part-time EHO (with requisite qualifications and experience and with responsibility for Health & Safety)

1 x 1 FTE Technical Officer Food (with requisite qualifications and experience)

Food Standards

1 x 0.2 FTE Environmental Health Manager (Commercial Services) (with responsibility also for Port Health, Health and Animal Health and Welfare)

4 x 0.3 FTE EHO* (with requisite qualifications and experience and with responsibility for Health & Safety)

**One of these posts is currently vacant*

1 x 0.16 FTE Part-time EHO (with requisite qualifications and experience and with responsibility for Health & Safety)

The Assistant Director (Regulatory Services) has responsibility for planning service delivery and strategic management of the Food Law Service. These duties are in addition to their general management responsibilities of the Development, Neighbourhoods & Regulatory Services Department.

The Environmental Health Manager (Commercial Services) has responsibility for the day-to-day supervision of the Food/Feed Law Service, Port Health, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare.

The EHOs have responsibility for the performance of the food premises intervention programme as well as the delivery of all other aspects of the food law service, particularly more complex investigations. In addition, these officers undertake Health & Safety at Work enforcement.

The Technical Officer (Food) is also responsible for interventions, including inspections as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

Feed Hygiene

The Environmental Health Manager (Commercial Services) and the Trading Standards and Licensing Manager are designated as lead officers for imported food / feed control and animal feed enforcement.

Authorised Trading Standards Officers have responsibility for the performance of the feed premises intervention programme as well as the delivery of all other aspects of the feed law service.

Support Services based within the department provide administrative support.

All staff engaged in food/feed safety law enforcement activity are suitably trained, qualified, and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties are suitably qualified and experienced to carry out this work.

4.3 Staff Development

The qualifications and training of staff engaged in food/feed law enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of officers.

It is a mandatory requirement for officers of the food/feed law service to maintain their professional competency by undertaking a minimum of 20 hours continuous professional development (CPD) training each year, which may involve attendance at accredited short courses, seminars or conferences. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the continuing professional development of staff. The priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team including training and development of new staff. Detailed records are maintained by the service relating to all training received by officers.

4.4 Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the food/feed law service. The service has a documented standard operating procedure that ensures the proper maintenance and calibration of equipment and its removal from use if found to be defective.

The service has a computerised performance management system, the Authority Public Protection computer system (APP). This is capable of maintaining up to date accurate data relating to the activities of the food/feed law service. A documented database management standard operating procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the intervention programmes, the recording and tracking of all food/feed interventions, the production of statutory returns and the effective management of performance.

5. QUALITY ASSESSMENT

The Council is committed to quality service provision. To support this commitment the food law service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the food service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Environmental Health Manager (Commercial Services) will carry out accompanied visits with officers undertaking interventions, investigations and other duties for the purpose of monitoring consistency and

quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

It is possible that the Food Standards Agency will at any time notify the Council of their intention to carry out an audit of the service.

6 PERFORMANCE REVIEW

6.1 Overview

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan, a review has been conducted of performance against those targets established for the year 2023/24.

This service plan will be reviewed at the conclusion of the year 2024/25 and at any point during the year where significant legislative changes or other relevant factors occur during the year.

It is the responsibility of the Assistant Director (Regulatory Services) to carry out that review with the Executive Director of Development, Neighbourhoods and Regulatory Services.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Following any review leading to proposed revision of the service plan Council approval will be sought.

6.2 Performance Review 2023/24

This section describes performance of the service in key areas during 2023/24.

6.2.1 Intervention Programme

During 2023/24, we successfully completed 392 food hygiene, 298 food standards and 5 feed hygiene interventions. (In 2022/23, 522 food hygiene interventions, 406 food standards and 5 feed hygiene interventions were completed. The levels of interventions completed were higher during this post pandemic recovery period. During this time the vacant post was filled with a temporary resource to assist in completing the FSA recovery plan).

We met our 2 working day response time for all complaints.

6.2.2 Registration and Approval of Premises

During 2023/24, 111 new food businesses were registered. This was a significant increase on the previous year when 85 were registered. (This figure reflected the fact that many businesses started trading from

domestic premises or changed their trading practices during the Covid19 Pandemic and cost of living crisis.)

Two premises subject to approval were inspected and given relevant guidance and a third has now received approval.

6.2.3 Food Sampling Programme

Programmed food sampling in 2023/24 focussed on issues of public safety and took account of local and national priorities.

In total 215 hygiene samples and 8 food standards samples were taken. The results are discussed below:

Hygiene Samples

During 2023/24, the service participated in six microbiological surveys and took 215 hygiene samples.

- Two local surveys focused on the microbiological quality of imported foods. One survey focused on fresh fruit and the other on dried fruit, nuts and seeds. The Food Examiner deemed all 51 samples to be satisfactory.
- Three national microbiological surveys were undertaken. These looked at:
 - (i) microbiological quality of cooked sliced meats

During the cooked meat survey, all of the six independent butchers in Hartlepool were visited, along with four retailers. 35 cooked meat samples were taken in total and checked for microbiological quality. All but one of the samples were deemed to be satisfactory and one sample was deemed to be borderline. The local butcher in question was visited and advice was given to reiterate staff hand hygiene practices.

(ii) microbiological quality of salad

During the salad survey, visits were made to eight premises to carry out a survey, in which samples of ready-to-eat salad and salad components were taken. A total of 44 samples were taken from retailers or caterers; 39 of the samples were deemed to be satisfactory by the Food Examiner and five were found to be borderline.

Three of the borderline samples were from a caterer. The premises was visited and they purchased a new mandolin to cut the salad items. Satisfactory results were obtained for the resamples. Satisfactory resample results were also obtained from the two resamples of salad from the retail premises.

(iii) hygiene practices in catering premises

Twelve premises were visited to carry out a survey that looked at hygiene in catering premises. Two cloths were taken and 82 swabs during the survey. Ten of the swab results were deemed to be unsatisfactory. Both of the cloths results were deemed to be unsatisfactory.

All the unsatisfactory results obtained originated from the same premises. Several visits were made to the premises to discuss cleaning and the business moved across to using disposable cloths.

- A sample of locally produced raw drinking milk was also taken, and the result of the sample was deemed satisfactory.

Food Standards Sampling

A further eight food standards samples were taken during 2023/24.

The department repeated a local compositional survey, which looked to assess the unintentional presence of milk proteins in 'Dairy Free Lattes' from local independent cafes. Five samples were taken, from five of the eight premises that produced unsatisfactory results last year. The other three premises, when visited, no longer offered 'Dairy Free Lattes'. A further three samples were taken from premises that had not previously been sampled from.

Dairy free lattes, suitable for a person with a dairy allergy were specifically requested from the premises. All drinks were made using a coffee machine.

Of the eight samples analysed, five were reported by the Public Analyst to contain milk proteins at a level sufficient to induce an allergenic reaction in a susceptible person. These five drinks were deemed to be unsatisfactory and unfit for human consumption.

Follow up visits were made to all the premises to discuss the results and to provide advice. The five unsatisfactory samples were obtained from premises that had been previously sampled the year before. Whilst the results were much improved all still contained traces that could induce an allergenic reaction. A written warning was given to all the premises whose drinks the Public Analyst deemed were unsatisfactory.

A further revisit was made to all five unsatisfactory premises a few months after the sampling had been completed and it was confirmed that all premises now inform customers that they are unable to guarantee that drinks served from the premises are free from dairy.

Sampling continued in relation to private drinking water used by a local brewery. The results of the samples taken were all satisfactory.

A programme of sampling is also carried out to assess the microbiological quality of drinking water at premises within the borough and at the port.

Water sampling is provided upon request to vessels visiting Hartlepool to assess the microbiological quality of drinking water.

6.2.4 Food Inspection

The service undertook no formal seizure of unfit food in the year.

6.2.5 Promotional Work

Food safety promotion whether by advice, education, training or other means is a key part of the food team's strategy in changing behaviour and increasing compliance in businesses.

In February 2006, the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time, our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

The team has continued to offer tailored advice and information on request with advisory visits to businesses being carried out during the year.

Circular letters are issued as required to inform food business operators of food safety matters relevant to their operations e.g. changes in legislation, food alerts and guidance on re-opening their businesses.

6.2.6 Food Hygiene Rating Scheme

On 1st April 2012, Hartlepool Council introduced the 'Food Hygiene Rating Scheme' (FHRS) a Food Standards Agency / local authority partnership initiative to help consumers choose where to eat out, or shop for food. The 'Food Law Code of Practice', requires that a risk rating is undertaken which is used to determine the frequency of intervention for the business. The hygiene rating is derived from the risk rating that is given to a business following every 'primary' inspection.

Of the seven main categories used to determine the overall rating score the following three factors are used to create a hygiene rating:

1. Food Hygiene and Safety
2. Structure and Cleaning
3. Management and Control

These ratings are the only ones that are directly controllable by the business and are the reason they have been used to obtain the food business' hygiene rating.

The total score from the 3 categories is then used to derive the hygiene rating ranging from '0' ('Urgent improvement necessary') through to '5' ('Very Good').

The profile of Hartlepool premises FHRs ratings is shown below.

Hygiene Rating	No @ 1.4.13	No @ 1.4.14	No @ 1.4.15	No @ 1.4.16	No @ 1.4.17	No @ 1.4.18	No @ 1.4.19	No @ 1.4.20	No @ 1.4.21	No @ 1.4.22	No @ 1.4.23	No @ 1.4.24
5 Very Good	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)	580 (82.9%)	596 (83.9%)	587 (73.2%)	688 (87.3%)	654 (85.9%)	647 (87.4%)
4 Good	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)	76 (10.9%)	77 (10.8%)	72 (9%)	64 (8.1%)	66 (8.7%)	57 (7.7%)
3 Generally Satisfactory	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)	38 (5.4%)	36 (5.1%)	32 (4%)	35 (4.4%)	32 (4.2%)	33 (4.5%)
2 Improvement Necessary	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)	3 (0.4%)	0 (0%)	0 (0%)	1 (0.1%)	4 (0.5%)	3 (0.4%)
1 Major Improvement Necessary	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)	3 (0.4%)	0 (0%)	0 (0%)	0 (0%)	5 (0.7%)	0 (0%)
0 Urgent Improvement Necessary	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Awaiting Inspection	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0.01%)	111 (13.8%)	0 (0%)	0 (0%)	0 (0%)
Sub Total	713	684	690	695	701	696	700	710	802	788	761	740
Exempt	49	45	44	45	42	42	37	39	39	39	28	27
Excluded	9	10	10	1	1	10	12	2	2	8	6	4
Sensitive	32	32	1	8	9	1	1	10	10	2	3	5
Total	803	771	745	749	753	749	750	761	853	837	798	776

Since the introduction of the FHRs national scheme in 2013 year on year, the profile of Hartlepool food businesses improved up until 2022. During 2022/23 98.8% of premises inspected received a hygiene rating of '3' ('Generally Satisfactory') and above. In 2023/24, there was a slight rise in the profile with the overall percentage rated '3' or above now up to 99.6%.

In their post pandemic Recovery Plan, the FSA acknowledged that hygiene standards had anecdotally fallen. This fall in standards has in part been a consequence of the COVID 19 Pandemic, however it is also reflective of the cost of living crisis and the difficulties businesses are facing.

The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has liaised with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Where appropriate, enforcement action will be taken to secure compliance.

Under the FHRs, there is a procedure that affords food business operators the opportunity to request a re-visit inspection once they have taken action to rectify non-compliances identified during an inspection. At the re-visit, the establishment may be re-assessed and given a new hygiene rating.

During 2023/24, 16 businesses submitted applications for a re-rating. Further information is provided in **6.2.7**.

The food hygiene ratings are published online at www.food.gov.uk/ratings

In total 31 establishments were considered to be 'exempt' (27) or 'excluded' (4) from the scope of the FHRs and as such they may not be rated. These are those who either do not supply food directly to consumers e.g. manufacturers or packers, or 'low risk establishments' which are not generally recognised by consumers as being a food business e.g. establishments like chemists or newsagents selling pre-packed confectionery amongst a range of goods.

Certain establishments operating from private addresses are classed as 'sensitive'. These are mainly childminders, but can include other establishments where caring services are being provided in the home environment as part of a family unit (as opposed to residential care). These establishments should not be rated.

6.2.7 FHRs Re-rating & Promotional visits

During 2023/24, officers worked closely with food business operators to improve food hygiene standards in our lowest rated premises. During the year, 16 businesses submitted applications for a FHRs re-rating.

In total, 13 of these businesses were re-inspected in accordance with the FHRs and all demonstrated an improvement in standards. Three improved from a 4 to a 5, four from a 3 to 5, two from a 1 to a 5, three from a 1 to a 4 and one from a 1 to a 3. Three re-ratings are still to be carried out as they were not eligible for inspection prior to 1.4.24.

On 1st April 2018, we introduced a dual system for dealing with re-rating requests. The five constituent members of the Tees Valley Food Liaison Group agreed this system.

The scheme enables food businesses to apply for one free re-rating revisit (as per the original scheme). To qualify they must have carried out the necessary improvements to their business and be willing to wait a minimum of three months from their last inspection (this period is known as a 'stand still' period). Businesses can elect to pay £150 if they wish to be inspected within three months of their inspection. They are also eligible to submit more than one application to be re-rated if they pay the £150 fee. During 2023/24, 7 businesses elected to pay for a re-rating inspection.

6.2.8 Food / Feed Complaints

During the year, the service dealt with 51 complaints relating to the condition of food premises and/or food handling practice (this was a significant increase on previous years, for example during 2019/20, 27 complaints were received). In addition, 33 complaints were received regarding unfit or out of condition food or extraneous matter. A further 10 complaints concerning the composition or labelling of food items were received.

No complaints were received regarding animal feeding stuffs.

Investigations into the above were undertaken within our target of 2 working days.

6.2.9 Food Poisoning

In conjunction with UK Health Security Agency (UKHSA) Hartlepool Council investigates cases of actual or suspected food poisoning and foodborne disease.

The majority of notifiable disease notifications received by the food service were cases of *Campylobacter*, all of which appeared to be sporadic (isolated) cases.

Campylobacter is the most common bacterial cause of food poisoning in England and Wales. National data shows that while the incidence of *Salmonella* infections has steadily declined since the late 1990s those caused by *Campylobacter* had significantly increased. As a result in recent years the FSA and UKHSA has been spearheading campaigns to address this.

6.2.10 Food Safety Incidents

The Service received Food Alerts and a number of Product Recall/Withdrawal notifications and Allergy Alerts from the Food Standards Agency during the year. All Food Alerts requiring action were dealt with expeditiously.

The Service also receives reports from the FSA regarding incidents involving food fraud, which may present a risk to health and require immediate investigation. Most relate to illicit alcohol due to the chemicals used as a substitution for genuine alcohol. In addition, intelligence is received from HM Revenue & Customs (HMRC) regarding counterfeit alcohol.

6.2.11 Enforcement

No formal enforcement was undertaken in relation to official food controls during the year.

6.2.12 Complaints against Our Staff/Service

No complaints were made against our staff during 2023/24.

7. KEY AREAS FOR IMPROVEMENT & CHALLENGES FOR 2024/25

In addition to committing the service to specific operational activities such as performance of the intervention programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement and/or challenges for 2024/25.

1. The Public Protection section continues to face significant financial pressures due to ongoing Council savings and maximise effectiveness remains paramount. During 2024/25, we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviour and improving the management of food safety risks that will have an impact on wider public health outcomes.
2. The FSA recovery plan prioritised inspections of premises presenting the highest risk. The profile of our premises is such that many of our premises are rated as Category D&E for hygiene and Category C for food standards (low risk). As such many planned interventions will fall due again within the next 18-24 months. It was discussed with the FSA that in order to offset the burden being placed on future year's inspection programmes we intend to bring forward some of these inspections and to incorporate them into this year's programme.
3. We will continue to explore how we can contribute to the Public Health Outcomes Framework.
4. We will need to keep abreast of and respond to any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will review and update our Quality Management System/Standard Operating Procedures for Food and Feed as appropriate.
5. The implementation of the new Food Standards Delivery Model will present a challenge during 2024-25. Officers will need to familiarize themselves with the new system and as such will receive training.